A

File No. 464

1895

Collection No.

12/2/47 Ld 14/2 Mysore Residency,

Pros. Serial Nos. 1—19

Subject.

Working of the Health dept of the Municipality and the powers of the Health Committee

Previous References.

F 18/84
F 2/85
F 391/87
F 459/87

Later References.

F 442/94.

S. 97. (Blue).

—6788&P—(6·1085)—10 3·30—1,00,000.

RESIDENT'S OFFICE.

Office Note.

D^r Dobson's d/o. dated 6-12-97.

FILE No. 189

M^r O. Shaughnessy a member of the Health Comm^ee (elected by ballot as such by the Comm^r) has attended only 1 out of 5 meetings of this Committee. Further at the meetings of the Comm^r he opposes measures proposed by Health Comm^ee and by his remarks tries to persuade others to vote against them.

Suggestion of D^r Dobson. M^r O'S, having been appointed Vice President of the Municip^y, should retire from the Health Comm^ee (D^r D. understood Res^n to say this was a necessary sequence to his appointment as V. P.) and his place should be filled by the Comm^r who got the next highest number of votes at the balloting for members of that Committee viz M^r Bride.

I do not think the appointment of M^r O'S to be Vice Pres^t (Sec 17 of the Law) necessitates his leaving the Health Comm^ee The Law does not say that the V. P. can not be a member of the Health Comm^ee. As regards the constitution of that Comm^ee See Section 23.

M^r O'S having been appointed by the Comm^r a member of that Committee he should attend it's meetings. If he can

not find the time to do so or if he thinks that he had better stay away because he is bound to disagree with them he should resign & make room for a man who will attend & state his views at it's meetings instead of, like Mr. O'S., reserving those views till the meetings of the Comm^n. But we can not order Mr O'S to resign - He might be requested thro' the President to attend the meetings of the Health Comm^e or, if he is unable to do so, to resign. [in this connection see powers of Resident under Sec 175 (1) (i).]

The Resident not having thought it necessary as yet to make use of those powers we can not decide who is to fill his place if he resigns - This rests with the Comm^n under Section 23 (1) -

Dr. Dobson's letter of 16th Dec^r.

Brings to notice the attack made on him and two other Comm^rs at a recent meeting of the Comm^n by Mr O'S - looks to the Resident to take some action in the matter

---

The Resident has seen various accounts of this meeting in the papers. Perhaps it will be best to await the detailed proceedings which I propose to write for. It seems to me that we can do very little in the way of action on Mr O'S's remarks. Dr. D. and the others are (or should be) well able to defend themselves KSE 21/12.

Res^n

J. Appleton
21/12

6/12

My dear Erskine

When you are out in camp & at your leisure would you mind mentioning to Colonel Roberts what I told you about Mr. Thaughers having attended ~~attend~~ only 1 out of 4 meetings of the Health Committee & he was again absent from a fifth meeting held on Friday last. Besides this he does all he knows at the Attorney's Office

meetings of the Commissioners when health matters are discussed — to prepare by his remarks the Commissioners against unfavorable recommendations made by the Health Committee. I think it would be a great matter if the Resident could have him replaced on the Health Committee, especially so as he is Vice President, by the

Comm^e. who got the
next highest number
of votes when the ballot
took place & 5 Commrs.
were appointed on the
Comm^tee. It was Mr.
Bride who succeeded
& I think once he to be
put in. As Mr. O'Shaughnessy
has appointment would be
productive of good as when
he was on the Comm^tee before
he attended the meetings very

meetings of the Commissioners when health matters are discussed — to prejudice by his remarks the Commissioners against supporting recommendations made by the Health Committee. I think it would be a great matter if Mr Resident could have him replaced on the Health Committee, especially as he is Vice President, & the

Brampton 2

Dec 16th 1897

My dear Erskine

I am sorry to be obliged to complain to Colonel Robertson that Mr. O'Loughnessy took advantage of this morning's special Municipal meeting, when a petition of the Health Committee relative to the delegation of executive powers came up, to again make a personal attack on me & also on 2 other members of the Health Committee - Messrs. Lawson and Billimoria - He criticised in no

commencement terms & since they
the Committee had done since
its formation notwithstanding
he had absented himself from
from out of four of its meetings
held between the 25th October 1854
& Dec. He even went the length
of opposing a resolution which
had been passed by himself
at the only one meeting that
he attended on the 12th Nov.
& had reference to the bye-laws
proposed by Slight under Section
32 (1) (A) for the opinion of
H. Health Committee The resolution

was as follows: "That the
"powers as per proposed draft
"by-laws are so far as they
"go good still the Committee
"would request it to be considered,
"before forming an opinion in the
"matter, how in the absence of
"an Executive Agency these powers
"are to be exercised". In fact
he said in so many words that
neither I nor the two other
members of the Health Committee
had any experience to enable
them to make any suggestions

worth having & further that
if we were given executive powers
we could at once set about
to expend the rate-payers
money in such ways as would
utilise a very short time under
the Municipality- but I suppose. the
reservoirs connected my entire
connection with the Pendring line
for the past 14 years and am.
conducted on my work in
such a way as to make it
appear that I had done nothing
to improve either the Medical
Institutions in any charge or

the sanitation of the station during that period. I fail to see why he should constitute himself to judge of my work in this way and though I did not allow his unmerited & offensive remarks to pass unnoticed still I hope I may look to the Resident to take some action in the matter as I feel that no matter what I may say Dr. O'Shaughnessy will be sure to continue his personal & abusive attacks

the sanctuation of the station
during that period. I fail
to see why he should constitute
himself to judge of my work
in this way and though I did
not allow his unmerited &
offensive remarks to pass un-
noticed still I hope I may
look to the Resident to
take some action in the matter
as I feel that no matter what
I may say Mr. O'Shaughnessy
will be sure to continue his
personal & abusive attacks

On me whenever questions
affecting my department
arise in discussion at
the municipal meetings. As
it is Colonel Robertson's wish
I should attend all these
meetings my having to do so
lays me open to this offensive
action on his municipal
Commissioners' part and as
I could never attend it to
pass unnoticed I feel such
bandying words can
best be no possible good
but on the other hand, must cause
and unpleasantness. Opinion
to the head of the manner
in which I discharge my
public duties. Surely if
Mr. Oshaughnessy cannot see
his way to getting on amicably
with the other members of the
Health Committee & Keeps along
in the way he does from rightly
discharging his public functions,
his whole conduct condemnation

of the Committee can have no other effect than to prejudice the minds of the public against it as to lead to its opinion being given to except on any testimony bearing on the investigation of the charges. I here take the opportunity of thanking you much for your obliging letter and beg assuring Colonel Robertson's approval to any service myself or the Banks belongs.

Yours sincerely
A. Dallas

(Continuation of Note or Precis).

Cabey.

Camp via Bangalore.
Dec. 23rd 1897

My dear Sleigh.

Will you kindly let
me know what progress, if any,
has been made in the investment
of the Health Committee with the
powers which we agreed they should
exercise. It is difficult to follow
the progress of events connected with
this Case in the proceedings of the
Municipal Comm^n. I am sure that
the Health Comm^e under unnecessarily
demands must not delay the main-
tenance of the very necessary reforms
which the Resident & the Resid^y agreed
should be introduced. If the Health
Comm^e refuse to work on these terms
they can retire and make room

In some less obstructive persons I have voiced for and expect shortly to receive the report of our proceedings at the last meeting with special reference to some of the speeches made. If he was correctly reported, some of the W. C. Daughney's observations seem to have been not only absolutely incorrect, but also extremely rude, and I am rather surprised that you did not call him to order. The remarks he is said to have made regarding Dobson's ignorance of Sanitation, and his unjustifiable attack upon Ross seem to me to have been purposely and needlessly aggressive.

I have just heard from the Governor of Barbados that plague has now broken out in the Hubbin City, which means that there is a good chance of it spreading down the

(Continuation of ~~Note or Precis~~).

the line - I am taking the necessary steps with the Empire authorities, but we should certainly not delay in letting our own home - the C. I. M. Station - in order against the arrival of this disease.

Can nothing be done to put a stop to this wretched bickering and obstruction which now appears to lack the field amongst the Comm?? ? You are credited with having authority amongst them, and I cannot help thinking that if the position were fairly & squarely put before them they would see the absolute necessity of refraining from further personal attacks, which however justifying they may be in the assailants do not tend to advance work

Briefly what I want done is this: to invest the Health Comm.ᵉ with a few powers (such as we agree upon) in order (a) to induce them to take some interest in their work (b) to make their position respectable: to place all the Departments affecting the public health under the control, for disciplinary purposes, of the Resid. Surgeon: and then to hold the Resid. Surgeon responsible for all Sanitary defects. That is to say, to make him the Head officer of the Health Dept., subordinate of course to the Comm.ʳ. These proposals involve no public expenditure of money. (For no money not sanctd by the Comm.ᵉ could be expended) and

(Continuation of ~~Note or Precis~~).

and no disturbance whatever of the authority given by the Act to Munpl. Comrs. - seeing that the powers exercised by the Scotch Dept. would be delegated by the Comrs. -

Few fencing proposals may be offered by Dobson's enrollment scheme as you doubtless apprehend, or, as you have suggested, his inferior policemen may militate against his discharge of disagreeable duties - An effective remedy is possible in either case - and if the plan of assigning district responsibility is carried out we shall at least have some one whom we can call to account - At present there is no tangible responsibility - which I fear leads

As you know the G. of India look to the Resident to enforce Sanitary measures here - he necessarily looks to the Resident I therefore now appeal to you in the plainest terms, asking you to ensure that this Scheme shall be accepted by the Com^rs and that when received it be fairly and efficiently worked, so far as your Co-operation is necessary - If you are unable to accept my views - and to Co-operate loyally in Carrying them out - then I must ask you to say so - in order that I may know exactly where I am - I do not suggest that you are not willing to carry out what appears to me the only practicable Scheme for the Sanitary administration of Bangalore, but

(Continuation of ~~Note or Precis~~).

but I cannot help observing that there is great delay in bringing matters to a head - and having regard to the critical situation in which we are now placed I feel very strongly that to commence any further delay in completing our arrangts is to court the disaster which evasion is probably anxious to avoid.

I should like you to see Mr. O'Shaughnessy and to read to him such portions of this letter as you consider it desirable that he should hear - Certainly my observations about his remarks at the last Special meeting - in connection with which I hope he will remember our conversation at the Rectory - ~~This~~

This letter is for your information

you personally – and ask for production before the Comm.ⁿ, though its substance might perhaps with advantage be explained to them. I presume that the Klagne Camp is now ready for occupation. Kindly let me have a reply to this letter at your earliest convenience

Jno. Ewing.

Ed. Donald Roberts.

As I said to you before leaving Bangalore if you can bring to notice any instance in H. Dobson his actions exceeded his powers – behaved rudely or offensively – or been made himself unnecessarily disagreeable I will at once call him to account. It is his duty, as I have told him, to act courteously and in close touch with you – and if he wishes to remain in Bangalore he must accept this view of his duties – he should personally treat you with the deference which is due to your position – on the other hand I have no doubt you are quite prepared to accord him reciprocal courtesy & considerate treatment –

BANGALORE C&M STATION MUNICIPALITY

4

4th January 1898

My dear Colonel Robertson,

I put off answering your letter of 23d. Dec: until after the holidays, hoping to get some more information as to what the Health Committee have now to say on the bye-laws which were put forward by me with your approval; but nothing has yet come to hand. The position at present is as follows:- I put forward these bye-laws, explaining that they had your approval, and asking the Commission to pass them at once, but on the recommendation of Mr: Billimoria the Commission referred them to the Health Committee for their opinion. That Committee first replied that so far as they went the bye-laws were all right, but

BANGALORE C & M STATION MUNICIPALITY

they could not give a final opinion because they did not see how they could exercise the powers without having general executive control of all the Health Department. Then they resolved to postpone their consideration of these bye laws until they themselves prepared a draft of bye-laws on their own views of what they required, and the draft they submitted was merely the repetition of the old proposal to give them full executive control of everything connected with health matters. That was discussed on 16th December, and the full report has been sent to you. In opposing it as I did, I did not understand that you now wished to make two separate heads to the Municipal Executive. I understood that you did not wish to ~~make~~ invest the Health Committee with full executive control, but I did not understand that you

BANGALORE
C & M
STATION
MUNICIPALITY

the arrangements I made with Ross when he was here, entrusting the management of the Health Department almost entirely to his hands for nearly a year, showed clearly enough that my recent position has not been due to the desire to hold all authority in my own hands; but the scheme now proposed will be very different. Ross undertook the management, but recognized that there was only one head to the whole of the executive of the Municipality. His views were generally accepted (hence the high expenditure bewailed by Mr Billimoria) but he acknowledged that purely sanitary matters could not always be separated from others, & was ready to defer when I found that other considerations made me unable to agree with his views. It would be useless to expect Dobson to take the same position, otherwise I would renew the former state of things most gladly. If he is to be

BANGALORE C & M STATION MUNICIPALITY

wished to give such full powers to the Medical Officer. My idea was that, so far as the powers to be delegated to the Health Committee required, I should arrange for the Health Officer & his subordinates to give all necessary information and assistance to the Chairman of the Committee. I understand now from your letter that you think it necessary to separate the Health Department entirely from my own executive control and put the Medical Officer at the head of it instead, responsible direct to the Commission, and not subject to any interference from me. Now that I understand your views fully I shall take the earliest opportunity of conferring with Dobson with a view to having them carried out, and I can assure you that I shall do all I can to make the scheme successful. I think

BANGALORE C & M STATION MUNICIPALITY

made responsible for the current executive management of the Health Department. it can only be done by separation; and as you wish for separation, & look to me to carry out your wishes, I shall endeavour most loyally to do so. I hope you will not entertain the idea that I have any desire on personal grounds to be obstructive, and I trust that if unpleasant friction arises in carrying out your scheme it will not be due to any unreasonable opposition on my part. I only hope you will excuse my saying that I do not anticipate much relief from personal work and worry by the separation, and the doings of Dobson & his Committee so far do not inspire me with much confidence in their good sense & capacity for the practical administration of the Health Department.

As regards your remarks about Dr Shaughnessy & what he said at the meeting on 16th December

BANGALORE C & M STATION MUNICIPALITY

I shall see him in a couple of days and inform him as you desire. When a proposal for a vote of censure against him came up, and I moved that it should not be admitted, I at the same time said that I thought he had certainly been unnecessarily violent in his statements and had gone beyond the limits of proper criticism with reference to matters under discussion.

I remain
Yours sincerely
Alfred Chatterton

RESIDENT'S OFFICE.

Serial No. 5

Copy.

~~[DRAFT]. For approval.~~

No.

Camp. Kodiak
Coy.
Dated 9th Jan: 1898.

To Asst. Sleight Esq. C.S

My dear Sleight,

Thanks for your letter of the 4th. I did not intend to propose such a complete Separation as you seem to imagine - You are the Head of all things Municipal and must remain so - All I want for Dobson is to give him supplied disciplinary authority over the Native Dept. to ensure that his orders on purely Sanitary questions shall be respected. You and he together ought surely to be able to manage this, and I am sure that I am quite unable to see where the difficulty comes in - His objection

S. 4

has always been that he has no authority over the Health Dept. and without such authority he cannot make any satisfactory progress. What I say to you is- Concede to him enough power as to render it impossible for him to urge that his directions in sanitary matters are not obeyed - whilst retaining your position as the head of the Executive I repeat that I do not desire to separate the Health Dept. from the Comm[r]. - and that I specially do not want the Commissioners to surrender any of their financial control - the creation of an imperium in imperio is very undesirable - some satisfactory compromise is I am certain possible, and if Dobson will not listen to

RESIDENT'S OFFICE.

Serial No. 5

Copy.

~~[DRAFT]. For approval.~~

No.

Camp. Kodiak
Coy.
Dated 9th Jan: 1898.

To Asst. Sleight Esq. C.S.

My dear Sleight,

Thanks for your letter of the 7th. I did not intend to propose such a complete Separation as you seem to imagine. You are the Head of all things Municipal and must remain so. All I want for Dobson is to give him sufficient disciplinary authority over the Native Dept. to ensure that his orders on purely Sanitary questions shall be respected. You and he together ought surely to be able to manage this, and I sincerely hope I am quite unable to see where the difficulty comes in. His objection

to reason, he must be made to do so.

When I wrote my letter of the 23rd Dec. I had not seen your speech at the meeting of the 16th. after reading it the impression it gave me was that you resolutely declined to support my views in any way. I am very glad to learn now that this is not the case, for as I am sure you must recognize, the maintenance of a position in which the President, nailing his colours to the mast, not only reaffirmed his attitude at the July meeting but in a measure strengthened the advice he then gave to the Commissioners, and finally left the matter under discussion in a slightly weakened condition.

is most prejudicial to public interests - I am anxious to interfere as little as possible in Municipal affairs, so long as business progresses satisfactorily - but I am fully persuaded that an fever is to create some tangible responsibility - in the person of the Resdy. Surgeon - for the efficient control of Sanitation in the C. & M. Station, and in this fever I expect you to take a leading hand.

You were I think quite right to reject the general & Colonial proposal of the Health Comm.r, but I should have thought you might have met it by proposing as an amendment some modified course. At present the matter appears to be hung up indefinitely -

(Continuation ~~of Note or Precis~~).

I strongly disapprove of Mr. Chamberlain's language towards Robson and Ross. It ought not have been used with deliberate intent. At the same time I think you were right to block Mr. Reid's motion of censure. Kindly let me hear how the business progresses.

Yours sincerely.

Hy. Donald Robertson.

True copy

Hy. Clarke Esq.

12.1.98

E. Clarke — with M

12/1

BANGALORE C&M STATION MUNICIPALITY

6.

10th January 1898

My dear Colonel Robertson

As promised in my letter to you of 4th inst., I took an opportunity on Saturday evening of discussing with Dobson your wish that the general management of the Health Department should be handed over to him. I put it to him that as the Commission had definitely refused to put that general management in the hands of the Health Committee, you wished that it should now be put upon him personally, and I wished to discuss with him the best way of giving effect to your wish as soon as possible. He deeply regrets that he did not see how it would be possible for him now to undertake the work. He asked me to try to make it clear to you that this view is not due to any change in his opinions of what is desirable for the Station, but to the fact that with the extension of the B.C. Hospital he already sees his own work there expanding to such an extent that he could not keep

BANGALORE
C & M
STATION
MUNICIPALITY

up efficient management of the hospital and at the same time of the regular work of the Health Department. He says that he now finds his relations with the Health Officer quite satisfactory, and the only change he would wish to make on the present system would be to bring those relations a little closer by making Mr Marshall secretary to the Health Committee so that they could always be able to get information readily on all subjects connected with this work.

If I may still do so, I would recommend that this arrangement be adopted for the present, and given a fair trial. I think it would be found to bring the Residency Surgeon and the Health Officer into sufficiently close touch to keep the former as fully acquainted as he may desire to be with the work that is done by the Health Department, and would obviate most of the difficulties that might

BANGALORE C & M STATION MUNICIPALITY

arise from dividing the executive into separate parts under independent heads. If you will accept the proposal, I think there will be no difficulty in giving effect to it.

I shall be much obliged if you will let me know how you would like me to proceed.

I am

Yours Sincerely

C. Taylor

7

Camp - Fraserpath

Janu. 12th 1898

My dear Slight,

Your letter of the 10th has just reached me I have no objection whatever to your negotiating any compromise that promises to allow of smooth and effective working with Dobson - provided he clearly understands that thereafter I hold him personally responsible for all sanitary defects occasioned by inadequate supervision or slack working which he might with active control have remedied. In future, that is to say, it will no longer be open to him to say that the Health Department might have done so & so - that they are neglectful of their duties - that the Health officer does not report to him - and so forth. For I shall at once turn round and say Brigade Surgeon Lt. Col. Dobson is the responsible party - my endeavour all along has been to place Dobson in such a position that he would be unable to plead that he had not sufficient authority or control over the Health Department to enforce his views upon the sanitation of the place - and he cannot possibly be allowed now to escape from this responsibility by urging the magnitude of his work at the Bowering Hospital - So long as the essential feature of future working arrangements which I have alluded to is preserved I should welcome the inauguration of some pacific modus vivendi between you and Dobson. I confess however that I do not quite appreciate what advantage would result from making the Health officer Secretary to the

Health

Health Committee - Would he thereby be enabled to carry out their behests and decisions ?. If he could only communicate them to you why could not Dobson himself do this more efficiently and with more authority. If however the arrangement satisfies Dobson - always remembering my irreducible minimums as expressed overleaf - then by all means give it a trial. Dobson will then perforce relinquish the role of critic and assume that of Sanitary administrator. He has not written to me - so please show him a copy of your letter to me and this reply - and then let me hear again - You will meanwhile have received a letter from me which crossed yours under reply -

Yours sincerely
Sd. Donald Robertson

—

JS
12/1

Resubmit in Bangalore? Yes 29-1

BANGALORE C & M STATION MUNICIPALITY

8

25th January 1898

My dear Col. Robertson

I am sorry I have not been able to answer your letters of 9th & 12th inst. earlier. I informed Dobson as soon as possible of the general purport of them, but on every occasion on which we have met and hoped to be able to discuss the matter fully we have been taken up so long with plague and other matters that it is only today that we have managed to have a proper discussion on the question of the Health department.

You say that you will not be satisfied with any arrangement that does not put into Dobson's hands so much direct control of the regular working of the Health Dep't that he will "perforce relinquish the role of critic and assume that of sanitary administrator", and that you will be able to "hold him personally responsible for all sanitary defects occasioned

BANGALORE C & M STATION MUNICIPALITY

by inadequate supervision or slack working which he might with active control have remedied." We have discussed fully the possible ways of carrying out your wishes and the relations in which we would then stand to each other, & the Commission and to yourself. Dobson asks me to reply that he is in no way diffident about his ability to undertake and efficiently carry on the direct control of Sanitary work, and particularly wishes that it may not be thought that he shirks it; but he feels very strongly now that if he undertakes this work in such a way as would enable him to support to his own satisfaction the full responsibility which you wish to put on him, he will have to reduce his personal supervision of the B.C. Hospital to an extent which will be very detrimental to that institution at a time when it is being very much enlarged and requires all his care. He asks me

BANGALORE C&M STATION MUNICIPALITY

to point out that Ross's scheme took into consideration only the management of the Hospital in its past restricted size and even then acknowledged that the Res. Surgeon must be relieved of the management of it. In the form towards which it is now in the course of extension, he thinks that it would be fatal to its interests to entrust it to the care of an Asst. Surgeon, and that it would not be possible for himself to efficiently supervise it and at the same time to be an efficient administrator of general sanitary work in the Station.

Dobson fully understands that I am ready at once to do whatever is necessary to carry out your expressed wishes, either in a permanent manner by bye-laws which could be made only after much talk in the Commission and could not be subsequently altered without a similar

BANGALORE C & M STATION MUNICIPALITY

expenditure of words and time, or by amicable executive arrangement between himself, myself and the Health officer. He agrees with me that whatever is to be done for the present would be best done in the latter way, being simpler, more expeditious, involving less talk among Commissioners whose comprehension of the points in issue is small, and being more open to modification in case such is found desirable. He would particularly like, however, before definitely undertaking such duties and responsibilities, to have an opportunity of discussing further with you the needs of the Hospital, the work its management will entail, and his doubts as to the possibility of his doing justice to it as well as to general sanitary administration.

I therefore ask you to excuse us for not taking any definite measures as

BANGALORE C&M STATION MUNICIPALITY

yet to give effect to the wishes expressed in your last letter, and to let the matter die over till you return to Bangalore.

In the meantime, I am glad to say, Dobson, having been in pretty close and constant touch with the work of Dr Marshall, the Health Officer, through the plague precautionary work, has formed a much better opinion of him than he was at first inclined to hold, and is satisfied that by putting off any change in the administrative system for a little longer the Station is not exposed to any injury or risk.

The reason why Dobson is not writing all this himself is that we have fully discussed it together, and as our views are generally in accord it is better to give them single expression. I am showing this letter to him before despatching, so that he knows

BANGALORE C&M STATION MUNICIPALITY

And accepts my expression of his ideas on the matter.

I am
Yours Sincerely
Alex Taylor

P.S. Having sent the above for Dobson's information, I enclose copy of his reply.

On reading again it strikes me that my last para. might be misunderstood. I meant to say that our relations are now quite harmonious, & by discussing any matters that arise we are finding no difficulty in agreeing. I did not exactly mean that I entirely agree with him that to manage the Sanitary administration also the hospital would be beyond one man's power, for I certainly think that my more other duties simply mostly more work than the hospital in its present extension will ever do; but then I think all my duties are too much for ~~any~~ one man

26-1-98 Alex Taylor

BANGALORE C&M STATION MUNICIPALITY

25th Jan? 1898

My dear Light

I quite concur in all you have written to the Resident as correctly representing all that was discussed between us this morning on the question of the Health Department, and so complete is your letter that I do not wish to add anything further to the subject

Yours Sincerely

(Signed) C. F. Dobson

Copy

C. Light

File N. 464
1897

RESIDENT'S OFFICE.

Office Note.

N. 4496 dated 7th February 1902 from the President, Municipal Commission Colombo.

D.O. collection letter

7

Mr Jones wrote a d.o. on the subject of the above letter, and a reply was sent to him by the Resident in a d.o. letter 7th February 1902. In such circumstances a reply to the official letter seems hardly necessary, more especially because Mr Jones has said in a subsequent d.o. letter of 11th Feb. 1902 he would dispose of this question before he leaves Hanguranketa on leave.

In File N. 366
1901
dated 6 Comp. Office.

A.J.
21/2/02

28/2/02

This should not have been kept in office all this time. Please put up at once the papers which there are in office regarding the Resident Surgeon his pay and his duties.

LO
27.2

4/3/02

The following files are submitted

(1) F. 2/85. Re: appointment of Resident Surgeon.

(2) F. 459/87 & 18/84. Regarding the allowances to — de —

(3) F. 391/87 Pay, duty etc of Resident Surgeon.

QMG.
3/3/02

An official letter has now come on this subject informing the Res! of certain resolutions adopted by the Comm.rs — Submit

L.D.

6.3

No.4900 dated 3rd March 1902 from the President, Municipal

6 Commission, Civil and Military Station.

Duties and powers under the Municipal Law of 1897 are vested in the Commission throughout that law. Power is vested in the Commission to delegate the current executive administration of any of its duties to an officer of the Commission under section 25 (1) and in all matters in which no such delegation has been made, the executive administration vests in the Predent (section 25 (2)). Section 321 (f) empowers the Commission to frame bye-laws as to what portion of the Executive Authority shall be exercised by the President and other officers of the Commission.

2. The Health Department is now administered by the President under section 25 (2). It is now proposed to transfer the control to the Medical Officer under section 25 (1), and to vest him with powers under certain sections, without affecting the position of the President's powers of intervention. There seems to be no legal difficulty in regard to such qualified delegation of powers, but as the point has been raised, Mr.Harris has suggested that a ruling be issued. ~~It is submitted that~~ The Resident is not required by any provision of

vide clause 5 of the draft bye-laws

law

law to issue any such ruling, but there is no objection to the Resident expressing his concurrence in Mr. Harris' view.

3. As regards the draft bye-laws, it is submitted that, under section 32 (2) of the Municipal Law, they should be approved by the Resident before they ~~took~~ can take effect. Clause 4 of these bye-laws empowers the Medical Officer to exercise the powers conferred on the Commission by section 182. This section refers to the mode in which notices should be issued, and requires that they should be signed by the President, Vice President or Secretary, or by the members of any Committee authorised by the Commission in that behalf. No action appears to be necessary under section 32 (1) (f), in regard to notices issued in matters relating to those in which it is proposed in the bye-laws that the Medical Officer should exercise powers conferred on the Commission, but the Commission may under section 182 (1) specially authorize the members of the Health Committee, of which the Medical Officer is the Chairman, to sign those notices. This work will however be irksome to the Medical Officer, and the other members of the Health Committee being elected Commissioners, it will be obviously difficult to get the notices signed by any one of them. It seems preferable therefore to have these notices signed by the Secretary who is available in the Municipal office during office hours. If this

view

× apparently all the members of the Committee will have to sign. each notice V.Q.

view is accepted, no powers need be conferred on the Medical Officer under section 182 and the latter portion of paragraph 5 of the proposed bye-laws relating to notices should also be amended.

17/3/02

Clause (1) of the proposed bye-laws starts with the assumption that the Residency Surgeon is the medical officer of the Commissioners. The insertion of the words in brackets suggests that they are not very clear of their position. Has the Residency Surgeon been formally appointed by the Resident to be "medical officer" under clause 2 of section 19 of the Act?

2. There appears no need to delegate powers under §§ 131, 132 & 135 of the Law, for those sections themselves empower

by bye-laws

the Commissioners by a mere order to authorise any officer to act under them.

3. I agree that it would be preferable that the Secretary should sign notices.

4. I doubt the wisdom of delegating powers under the numerous sections proposed other than, say, sections 125, 126 & 127. The Resident Surgeon is an expert in medical & sanitary matters. He is not ex hypothesi a lawyer or especially fitted to pass a final decision on points in which questions of general expediency may arise apart from sanitary considerations.

L.P.
21.3.

(Continuation of Note or Precis).

With reference to paragraph 1 of the Asst. Resident's note dated 21st March 1902, it is submitted that the Residency Surgeon has been formally appointed to the the medical officer to the Municipal Commission in the last portion of paragraph 6 of Capt. Watkins's letter No. 3098/97 the 28th July 1897.

A.4

A.J.
22/3/02

22/3/02

Mrs

Many note about the Police
of the Residency Surgeon, in
matters relating to the Sanitation
Law, should be printed and
a Copy sent to the Residency
Surgeon &c also to the P.M.O.
for the Annual Summary.

80/ 8.81

Yours &c
H.C. Reid.

H.C.
1/4

1/4/02

I do not see the note in print

20
2.4.

Please see the proof placed just
below this note.

2/4/02

RESIDENT'S OFFICE.

Office Note.

Resident's note on a slip

F. A. R. Has my note on the Residency Surgeon's municipal medical duties issued. As soon as it has been issued it can be communicated to the Press, but I should like to see it in print."

(Init) D.R. 8/4/02

(Init) L.R. 8/4/02

Secs 17 & 18

Yes, please see letters nos. 1934 & 1935 to the Presdt. mil: cant & Residency Surgeon respectively. The note has been printed and the files submitted for personal

one. 10/4/02

Init 10/4/02

Resdt. 10.4.

Please communicate to the 3 Newspapers here — Init 11/4/02

Dft: Secretaries of State

12/4/02

The comm[n] sh[d] be
Mr. Osmond
Mr. ~~Johnson~~ M: Timins.
Mr. Babington M. Hart.
Mr. Johnson B: D. Hanna.

LO
12.4

Revised draft sec'd.

15/4/02

LO
15.4.

RESIDENT'S OFFICE.

—:o:—

NOTES AND PRECIS.

R. P. B.—6-05.—1,000.

No. 1340, dated Bangaldre, the 15th August 1896.

From—A. M. Slight Esq., I. C. S., President, Municipal Commission, Civil and Military Station, Bangalore.

To—The First Assistant to the Resident in Mysore, Bangalore.

I have the honour to forward, herewith, abstract and detailed proceedings of a special meeting of the Municipal Commissioners held on the 9th, 16th and 23rd of July 1896, for the purpose of discussing the proposals made by Surgeon-Major Ross in his report on the sanitation of the Station.

2. It will be seen that the Commissioners have approved of the proposal that a thoroughly efficient Health Officer should be appointed to have charge of the health department in the same way that the Executive Engineer has charge of the works department, *i. e.*, subject to the general executive control of the President, and that there should be, as provided in the draft regulation of 1896, a Health Committee to advise on matters concerning sanitation &c. The grounds on which this proposal was put forward by me and adopted by the Commissioners will be found in the detailed report of the proceedings, which, though by no means a full and accurate report, at least shows the general lines of argument and the main facts put forward.

3. It may be observed that in what I said myself on the subject, and in the general discussion of it, the understanding was that while the Health Officer should manage the department and be *ex-officio* a Commissioner and a member of the Health Committee, the Chairman of this Committee should be the Residency Surgeon. There can be no doubt, I think, that it is desirable to have the Residency Surgeon a member of the Health Committee, but it seems to me probable that a Residency Surgeon might object to sit on the Committee under the Chairmanship of the Municipal Health Officer, an officer of less standing or rank than himself, and under such circumstances the value of the Residency Surgeon's services would be to a large extent lost.

4. If the Resident agrees with the view that it is desirable to have a Health Officer who is not the Residency Surgeon, but to have the Residency Surgeon as Chairman of the Health Committee, I would point out that to accomplish this end an alteration will be required in Section 23 of the Draft regulation of 1896 which provides that the Health Officer himself shall be Chairman of the Committee.

BANGALORE STATION MUNICIPALITY.

Abstract of Proceedings of a Special Meeting of the Municipal Commissioners, for the Civil and Military Station of Bangalore, held at the Mayo Hall, at 7-30 a. m., on Thursday, the 9th July 1896.

Present.

A. M. Slight, Esq., I. C. S., President.

Ex-officio Commissioners.

Present.	*Absent.*
Surgeon-Colonel Blenkinsop, Principal Medical Officer, B. & S. Districts.	The Executive Engineer, Bangalore Division, M. W.
Surgn.-Major R. Ross, Residency Surgeon.	
Major H. St. L. Wood, Dy. Assistant Adjutant-General.	
F. E. C. Carr, Esq., District Superintendent of Police.	
Abdul Rahman Saib, Esq., K. B., 2nd Magistrate.	

Elected Commissioners.

Present.	*Absent.*
P. L. Bride, Esq.	R. F. Hayes, Esq.
Revd. Mr. A. E. Burton, M. A.	C. G. R. Naylor, Esq., M. R. C. S., L. R. C. P. & S.
Mahomed Ali Saib, Esq., K. B.	H. Abraham, Esq.
Mahomed Ahmed Saib, Esq.	T. Barton, Esq.
M. Venkatasami Esq.	Aga Abdulla Saib, Esq.
B. P. Annasami Mudliar, Esq.	A. Maigandadeva Mudliar, Esq.
C. N. Sooryanarayen Rao, Esq.	V. Gungathara Chetty, Esq., R. B.
	V. A. Krishnasami Mudliar, Esq.
	A. R. Chelvaraya Mudliar, Esq.
	A. R. Sabapathy Mudliar, Esq.

Read letter dated 16th March 1896, No. 979 from the First Assistant Resident forwarding a report by Surgeon-Major R. Ross on the Sanitation of the Civil and Military Station of Bangalore.

Resolution No. 15 of the Commissioners dated 28th June 1896, relating to the proposed re-construction of the vaccination and registration branches and office of the health department.

Proposed by Mr. Sooryanarayen Rao and seconded by Mr. Venkatasami,

that the Commissioners record their approval of the report on cholera, general sanitation, and the sanitary department and regulations in the Civil and Military Station of Bangalore, by Surgeon-Major R. Ross, but that the consideration thereof be deferred until after the election of the new Commissioners next month, and until after the assent of the Government of India is received to the draft regulations now before that Government.

Amendment proposed by Mr. Mahomed Ahmed seconded by Mr. Annasami Mudliar.

That the Commissioners are of opinion that the report compiled by Surgeon-Major Ross on matters connected with cholera, general sanitation, and the sanitary department and regulations in the Civil and Military Station of

Bangalore is so complete that the efforts which enabled Dr. Ross to go into such details, and to suggest such remedies against existing defects could have been done by no one, except by him who had thrown his heart, and soul into the question required to be solved by him.

The Commissioners, therefore sincerely thank Surgeon-Major Ross for all he has done, and record his report with a view to giving effect to as great a portion of it as they can, after they can find out the attitude of their ratepayers, and also after having advised their rate-payers as to what had better be done.

The amendment was put to the meeting and lost.

For	Against.
2	10

The original proposition was then put to the meeting and also lost.

For	Against.
4	9

Proposed by Surgeon-Major R. Ross that definite resolutions be passed endorsing the following Sections of the report:—

Section 8, with paragraph 5 of the Resident's review.
Sections 22 and 23, with paragraph 7 of the review.
Section 24, first three paragraphs, with paragraph 10 of the review.
Section 36, with paragraph 8 of the review.
Section 42.
Section 44, certain paragraphs.
Section 45, proposals for improvement.
Section 46, proposals for improvement.
Sections 48 and 49.
Resolved that Section VIII of the Report be approved.

Resolved that the principles stated in Section 22 and 23 of the report have already been adopted, and are approved.

For	Against.
11	12

Resolved that the main principles stated in Section 24 have already been adopted in a proposed Bye-Law and are approved of, provided that the proposed Bye-Law if sanctioned should not be enforced with too much strictness in houses of the poor, until a sufficient number of public latrines are provided.

Resolved with reference to Sections 36, 42, 44 and 46 of the report that the Commissioners are not at present in a position to adopt in their entirety the suggestions in these sections, and consider that these proposals for improvement must for the present be dealt with in detail.

Resolved that the principles stated in Section 45 have already been adopted in rules, and are approved of.

At this stage of the proceedings the meeting adjourned to Thursday next, the 16th instant at 7-30 A. M.

Abstract of Proceedings of an adjourned Special Meeting of the Municipal Commissioners, for the Civil and Military Station of Bangalore, held at the May Hall, at 7-30 a. m., on Thursday, the 16th July 1896.

Present.

A. M. Slight, Esq., I. C. S., President.

Ex-officio Commissioners.

Present.	*Absent.*
Surgeon-Major R. Ross, Residency Surgeon.	The Principal Medical Officer, B. & S. Districts.
Major J. Badgley, R. E., Executive Engineer, Bangalore Division, Military Works.	„ Deputy Assistant Adjt.-General.
Abdul Rahman Saib, Esq., K. B., 2nd Magistrate.	„ District Superintendent of Police.

Elected Commissioners.

Present.	*Absent.*
H. Abraham, Esq.	P. L. Bride, Esq.
T. Barton, Esq.	R. F. Hayes, Esq.
Revd. A. E. Burton, M. A.	C. G. R. Naylor, Esq., M. R. C. S., L. R. C. P. & S.
Mahomed Ali Saib, Esq., K. B.	Aga Abdulla Saib, Esq.
A. Maigandadeva Mudliar, Esq.	V. Gungathara Chetty, Esq., R. B.
M. Venkatasami, Esq.	V. A. Krishnasami Mudliar, Esq.
B. P. Annasami Mudliar, Esq.	A. R. Chelvaraya Mudliar, Esq.
C. N. Sooryanarayen Rao, Esq.	A. R. Sabapathy Mudliar, Esq.
Mahomed Ahmed Saib, Esq.	

Proposed by Mr. Sooryanarayen Rao and seconded by Mr. Annasami Mudliar.

that the consideration of Sections 48 and 49 of the report on cholera, general sanitation, and the sanitary department and regulations, in the Civil and Military Station of Bangalore by Surgeon-Major R. Ross, be deferred until after the election of the new Commissioners next month, and until after the assent of the Government of India is received to the draft regulations now before that Government.

The proposal was put to the meeting and lost.

For	Against.
4	8

Proposed by Surgeon-Major R. Ross that it is desirable that the executive in sanitary matters should be placed in the hands of the Health Committee or of the Residency Surgeon, according to the principles of his report, Part III, Sections 48 and 49.

Amendment proposed by Mr. Mahomed Ahmed, seconded by Mr. Sooryanarayen Rao.

That the consideration of Surgeon-Major Ross's resolution be postponed *sine die*.

Amendment proposed by the President and seconded by Mr. Abdul Rahman.

That the Commissioners consider that it would be preferable to have an efficient Health Officer in charge of the health department subject to the ordinary executive control, together with an advising Committee who would be a constant criticising body, who would be regularly referred to for advice in all important matters of sanitation, and who might be regularly informed of what work was being done, and entrusted with separate executive power in purely technical matters which may require urgent attention.

Mr. Abdul Rahman and Mr. Sooryanarayen Rao spoke in support of the amendment.

Proposed by Mr. Barton and seconded by Mr. Mahomed Ahmed that the meeting be adjourned.

The proposal was put to the meeting and lost.

For	Against.
5	8

Surgeon-Major Ross spoke against the amendment.

At this stage it was resolved to adjourn the meeting to **Thursday 23rd July at 7-30 A. M.**

Abstract of Proceedings of an adjourned Special Meeting of the Municipal Commissioners, for the Civil and Military Station of Bangalore, held at the Mayo Hall at 7-30 a. m., on Thursday, the 23rd July 1896.

Present.

A. M. Slight, Esq., I. C. S., President.

Ex-officio Commissioners.

Present.	*Absent.*
Surgeon Colonel F. H. Blenkinsop, Principal Medical Officer, B. & S. Districts.	The District Superintendent of Police, C. and M. Station, Bangalore.
Captain E. M. Reed, Dy. Assistant Adjt.-General.	
Surgeon-Major R. Ross, Residency Surgeon.	
Major J. Badgley, R. E., Executive Engineer, Bangalore Division, Military Works.	
Abdul Rahman Saib, Esq., K. B., 2nd Magistrate.	

Elected Commissioners.

Present.	*Absent.*
T. Barton, Esq.	P. L. Bride, Esq.
A. Maigandadeva Mudliar, Esq.	R. F. Hayes, Esq.
M. Venkatasami, Esq.	C. G. R. Naylor, Esq., M. R. C. S., L. R. C. P. & S.
B. P. Annasami Mudliar, Esq.	H. Abraham, Esq.
V. A. Krishnasami Mudr. Esq.	Revd. A. E. Burton, M. A.
C. N. Sooryanarayen Rao, Esq.	Aga Abdulla Saib, Esq.
	Mahomed Ali Saib, Esq., K. B.
	Mahomed Ahmed Saib, Esq.
	V. Gungathara Chetty, Esq., R. B.
	A. R. Chelvaraya Mudliar, Esq.
	A. R. Sabapathy Mudliar, Esq.

The following Commissioners spoke on the subject of the amendment proposed by the President at the meeting on 16th July.

Mr. Sooryanarayen Rao.

„ B. P. Annasami Mudliar.

„ Abdul Rahman, 2nd Magistrate.

Surgeon-Colonel Blenkinsop, Principal Medical Officer.

Mr. T. Barton.

Major Badgley, Executive Engineer, Military Works.

The President replied, and the amendment was put to the vote, and carried by 9 votes to 1, two not voting. The original resolution proposed by Surgeon-Major Ross, was therefore dropped.

Surgeon-Major R. Ross then withdrew his proposal recorded in his letter, dated 18th June 1896, No. 423, referred to in Resolution No. 15, dated 25th June 1896, for the reconstruction of the registration and vaccination and health office establishments.

The meeting then dissolved.

Residency Press, Bangalore.—3-2-96.—60.

No. 3177, dated Bangalore, the 4th September 1896.

From—Captain K. D. Erskine, I. S. C., First Assistant to the Resident.
To—The President, Municipal Commission, Civil and Military Station of Bangalore.

I am directed to acknowledge the receipt of your letter No. 1340, dated the 15th ultimo, forwarding the proceedings of a special meeting of the Muninipal Commissioners held on the 9th, 16th and 23rd July last for the purpose of discussing the proposals made by the Surgeon-Major Ross in his report on the sanitation, &c., of the Civil and Military Station of Bangalore.

S 1
S 2

2. In reply, I am to say that the Resident concurs in the view that the Health Committee of the Municipal Commission should be presided over by the Residency Surgeon or some commissioned medical officer of the garrison, and it is essential that this officer should be a member of the Municipal Commission. Mr. Mackworth Young does not therefore see any necessity for an amendment either in Section 19 or 23 of the draft regulation which have been framed on the above view. At the same time, it is, he thinks, clear from the experience which has been gained during Surgon-Major Ross's connection with the Municipality that an efficient Health Officer is needed in addition to the above Medical Officer to enable the Commission to deal adequately with the sanitation of the Civil and Military Station. It is hardly to be expected that the Municipality will always find a Residency Surgeon or commissioned medical officer of the garrison able and willing to bestow the necessary time and labour upon the various problems connected with this subject to which Surgeon-Major Ross has so energetically devoted himself. The Resident will therefore be prepared to consider any proposal for the appointment of such a Health Officer which may require his sanction. But *prima facie* as this officer will not be Chairman of the Health Committee to which he will rather stand in the relation of principal agent, there appears to be no reason for giving him a special status by amending the draft regulation so as to make his appointment a statutory one, and as his work will presumably be controlled by the Health Committee subject to the general supervision of the Municipal Commission, and in accordance with such powers as may be delegated by the Municipal Commission to its Health Committee, Mr. Mackworth Young, is doubtful whether a salary exceeding that which the Municipal Commission has power to sanction, will be necessary or desirable.

3. With reference to the resolutions passed by the Municipal Commission and the proceedings containing discussions relative thereto, which have been furnished, I am to observe that experience will be the best guide as to the mode of administering the health department; that the draft regulation, if passed, will enable the Municipal Commission to delegate its executive powers to the Health Committee or any of its members precisely as may seem most convenient, subject to the Resident's approval; and that the key to all success in dealing with sanitary problems lies in finding the proper agency and when found, entrusting it with the necessary powers. Hypothetical discussion on this subject, is, interesting and instructive, but many of the difficulties which occur in anticipation will be solved by practice, and it is for this reason that the Resident abstained from asking the Municipal Commission to discuss chapter III of Surgeon-Major Ross's report relating to the sanitary department and regulations required for its proper constitution, which have subsequently been dealt with in the municipal draft regulation now under the consideration of Government.

4. The detailed proceedings received with your letter are herewith returned.

No. 3178 Copy forwarded to the Residency Surgeon, Bangalore, for information, with reference to his letter No. 834, dated the 20th ultimo, the enclosures of which are herewith returned.

K. D. ERSKINE, CAPTAIN,
Secretary to the Chief Commissioner.

4

No. 3098, dated Bangalore, the 28th July 1897.

From—Captain K. D. Erskine, I. S. C., First Assistant to the Resident in Mysore.

To—The President Municipal Commission, Civil and Military Station, Bangalore.

I am directed to invite a reference to your letter No. 1915 of the 28th September last, on the subject of the draft Municipal Regulation of 1896 and to state that copies of its enclosures were forwarded to the Government of India for the consideration of the Governor-General in Council. I am now to forward for the information and guidance of the Commission, a copy of the Bangalore Municipal Law, 1897, as finally approved by the Governor-General in Council. As you are aware, it has been published in the Gazette of India of the 9th June 1897, and you have been unofficially asked to have it printed and to supply this office with twenty copies.

2. As the new Law differs in many respects from the Regulations of 1883, which have been repealed, I am to point out the more important of the changes.

3. *Section 1 (2) read with Sections 3 (1) and 4.* These may be compared with the definition of "Municipal limits" in old Section 2. Under the Regulation now repealed, the Resident could fix and notify Municipal limits but this power has now been reserved for the Governor-General in Council. The effect of Section 2 of the new Law is to save all existing Notifications regarding Municipal limits so no fresh Notification by the Governor-General in Council is at present required.

4. *Section 3.* Several terms have been defined for the first time, among them "explosive" and "petroleum." As the Indian Explosives Act, 1884, and the Petroleum Act, 1886, have not been applied to the Station, the definitions therein of the above words have been entered.

As regards the definition of "notification," the "local official Gazette" is the Gazette of India, Part II.

5. *Sections 5, 6 and 7* are new.—As regards the first, no Notification has yet been issued by the Governor-General in Council, but enquiries will be made whether the Military authorities desire any buildings or lands in their exclusive possession to be exempted from the operation of the new Law. Should a Notification issue, the Commission will be informed and any action necessary can then be taken under new Section 70.

Sections 6 and 7 were discussed by the Commission in September last, and in part formed the subject of your letter quoted in my first paragraph. Looking to the unique position of this Station, consisting as it does of a Cantonment area intermingled with the area inhabited by the Civil population, the Governor-General in Council has decided to take power to exclude from municipal jurisdiction any local area in the Station, and to apply to any local area or, if need be, to the Station, any Cantonment Act or Regulation or rules thereunder.

6. *Section 8.* Sub-section (1) is new to the extent that the exact number of Commissioners is laid down, *viz.* 25 excluding the President. As regards sub-section (2) the present rules will remain in force until cancelled by the Resident; the propriety of amending the election rules is under consideration. Proviso (b) is new in that, with the sanction of the Governor-General in Council, the number of appointed Commissioners may exceed one third of the whole Commission.

Section 9 (2). The rules which at present regulate the term of office of Commissioners will remain in force until new rules are made by the Resident.

Section 10. Explains what a member of the Commission should do who desires to resign his seat and when such resignation shall take effect.

Section 11. Confers on the Resident more powers than he had under either Section 3 or 5 of the repealed Regulations. With reference to clause (c), I am to request you will be good enough to bring to notice any case in which a Commissioner has absented himself from meetings for more than three consecutive months.

Section 12. Certain Commissioners took objection to the proviso to sub-section (1) in September last, but the proviso does not in its effect seem to be an innovation, and in certain cases *e. g.*, the occurrence of a vacancy shortly before the date fixed for the annual election, it would obviously be desirable to

leave the vacancy unfilled until such election, more especially if the term of office of the person whose death, resignation or removal caused the vacancy were to expire at such election.

Section 13. Is new, and I am to request that on the election or appointment of a Commissioner you will submit for the approval of the Resident a draft Notification. *Section 15* is new. With reference to *Section 17*, I am to enquire whether the Commissioners propose to elect one, or two, of their number to be a Vice-President, or Vice-Presidents, and if so, what term of office they suggest that the Resident should fix. The names of the Commissioner or Commissioners, if any, elected by the Commission for the post of Vice-President should be communicated for the Resident's approval.

Under *Section 19 (1).* the Resident appoints the Residency Surgeon to be the Medical Officer to the Commission. This officer is already an appointed Commissioner, *ex-officio.*

7. *Section 23.* Is new, but it is understood that a Health Committee as appointed under the old Regulations and still exists. The Resident will e glad to learn who the members of this Committee are: it is very necessary hat they should be active and diligent in the performance of their duty. It ill be observed, that the Residency Surgeon in his capacity as Medical Officer ill be *ex-officio* chairman of the Health Committee and it seems very desirable hat the Commission should in order to obviate possible misunderstandings efine clearly what the authority and responsibilities of the Health Committee are nd the manner in which it should work. In this connection the new provisions f *Section 25* are very important. They may be compared with old Section 11. he Resident will be glad to know whether in addition to the foregoing the ommission proposes to delegate any of its current executive duties to a Vice-resident, Commissioner or other officer, if so, the exact nature and extent of uch delegation should be reported in the shape of bye-laws for approval, Section 32 (1).]

8. *Section 26* may be compared with old Sections 18 and 20. It will be ecessary for the Commission to make a bye-law under sub-section (1). *Section* 8 may be compared with old Section 24. The quorum necessary for a special neeting has been raised from 12 to 13 *i. e.*, one-half of the Commission. The uorum for an ordinary meeting should now be fixed by bye-law which requires he approval of the Resident. [Section 32 (2)].

Section 31 may be compared with old Sections 19 and 26. Under ld Section 19, the minutes of the proceedings of only ordinary meetings were placed at the convenience of the press. The Resident directs that this procedure continue not only in the case of minutes of proceedings of ordinary meetings but also in the case of those of special meetings. It will be noticed that these minutes are to be open to inspection by *any inhabitant* free of charge and not as laid down in old Section 26. The term inhabitant is defined in Section 3 (5).

Section 31 (2). The necessity for transmitting copies of all Resolutions passed at any meeting of the Commission to the Resident within 3 days from date of the meeting should not be overlooked.

9. *Section 32 (1)* relates to bye-laws. In making these the Commission will no doubt study the present procedure as enjoined in various sections of the old Regulations *e. g.*, under (a) old Section 18 read with new Section 26 (1), under (b) old Sections 18 and 20, under (c) old Section 24, under (d) old Section 19, 21, 23 and 24, under (e) old Section 6, and under (h) old Sections 14 and 15. It will be noticed that under Section 32 (2) certain bye-laws require the previous approval of the Resident. With reference to Section 32 (3), the Resident directs that every bye-law under that section be printed in English and hung up in some conspicuous part of the office of the Commission. It does not seem necessary that such bye-laws should be published in the local newspapers, but on this point, I am to invite an expression of your opinion.

10. *Section 33* is an enlargement of old Section 27 while *Section 34* is new and important. *Sections 35, 36 (2) and 36 (3)* are also new, *Section 36 (1)* follows old Section 6 and *Section 37* may be compared with old Section 16, clauses I and II. *Section 39* is new.

11. *Section 41* should be carefully studied. It sets forth the kinds of taxes that may with sanction be imposed by the Commission. A comparison

with old Section 34 will show that in the new law there is no specific mention of a tax upon the sale of spirituous and intoxicating liquors. The continued imposition of such a tax was contemplated by the late Resident when he submitted the draft of the Regulation which has now become law but the Government of India objected on the ground that it infringed on the sphere of Imperial taxation since the excise laws authorised the levy of license taxes on persons selling spirituous liquors. However on it being represented that the sudden withdrawal from the revenues of the municipality of a sum of Rs. 42,000 per annum made up as follows, *viz.*

Liquor shops registration fees under old Section 58 Rs. 13,000
Fees on sales of liquor under old Section 56 .... Rs. 29,000

would seriously cripple the resources of the municipality, the Government of India have been pleased to allow the continuance of the present tax on liquor as a temporary measure pending the decision as to the abkari system to be adopted in future in the Station. Thereafter they will be prepared to grant the Commission concurrently with the abolition of the tax in question, such subvention from the general revenues of the Assigned Tract as they may from time to time consider to be advisable on an examination of the municipal finances. The present tax is levied "with the approval of the Resident in Mysore and the sanction of the Government of India" under section 34 of the old Regulations and as a similar tax could with the like dual sanction be imposed under Section 41 (1) B of the new Law the present tax will continue to be leviable without further sanction until abolished under the new Section 45.

12. The new Law contemplates the continued imposition of a tax on persons practising any profession or art or carrying on any trade or calling in the Station but the Government of India in the correspondence referred to in the preceding paragraph remarked that a profession tax so closely resembled an income tax that they desired that wherever possible it should be discontinued, and they enquired whether an extension of the octroi system would not prove an equally productive substitute and at the same time more economical in the way of establishment. The late Resident replied that the Commissioners were anxious to abolish altogether the tax which brought in some Rs. 12,000 a year, and that it was hoped that the deficiency might be made good by an extension of octroi taxation, but he asked that until some experience had been gained in regard to that alternative the tax might be allowed to remain in force, subject to the condition that it was not to be levied from Military employees. To this request the Government of India have acceded and the tax will for the present continue to be levied on persons other than military officers or soldiers employed on military duty in the Station. These classes, which are held to include ladies of the Indian Nursing Association, have, as you are aware, been exempted from such taxation by the agreement of February 1897, with the Municipal Commissioners in part consideration for the water supply presented to the Station by the Government of India, but it is necessary to formally notify the exemption under the new Section 46 (2) and I am to ask you to be good enough to submit a draft Notification. The question of extending octroi taxation is, it is believed, still receiving the consideration of the Commission and when it has been decided, the profession tax can be totally abolished as explained. It seems very desirable that no further delay than is absolutely unavoidable should be allowed to occur in the preparation of a complete octroi scheme, and the Resident will be glad to know what the prospects are of an early settlement of this long pending question.

13. *Section 41 (a)* (1) contemplates the imposition of a tax on buildings and lands at a rate not exceeding 10 per cent on the annual value, and there is no mention in the new Law of a "lighting rate." The old Regulations (Sections 64 and 195) authorized a tax not exceeding 5 per cent on annual value on houses and not exceeding 1 per cent for lighting. It will be understood that the 10 per cent tax mentioned in the new Law is to include the lighting tax.

14. The Resident will be glad to hear how the Commissioners propose to reorganise their present system of taxation so as to bring it into conformity with the new provisions as explained in the three preceding paragraphs. The Government of India have called for, and you have recently submitted a full account of municipal taxation and resources and the requirements of the Station.

15. *Sections 42 and 43* are to some extent new and may be compared with old *Sections 108 and 198*. *Section 44* is new. It will be noticed that the

entire procedure in connection with the imposition of a tax can be conducted at special meetings only.

Section 45 is also new and this business can only be done at a special meeting. The same remark applies to *Section 46 (2)*.

Under *Section 48* the Commission must settle as to dates and instalments on and in which taxes are to be paid. *Section 49* is new but has probably been followed hitherto. *Section 50* is to some extent new and may be compared with old Section 78. It will be seen that the period within which an appeal has to be lodged has been reduced in *Section 51* (1) from thirty to seven days. *Section 52* is new.

16. The minimum period to be mentioned in the notice referred to in *Sections 56* (1) and *58* (1) is one month against fifteen days in old Sections 73 and 76.

Section 60 may be compared with old Section 66. It relates to water tax as well as a tax on immoveable property.

As regards *Section 54* and following Section the Resident presumes that the Commission will delegate some at least of it's functions in the assessment of taxes on immoveable property to two or more Commissioners. This point should be considered and reported upon.

17. *Section 63 to 67* inclusive may be compared with old Sections 62 A. to 62 Q. If will be seen as regards *Sections 66* and *67* (2) (i) that imprisonment can not now be awarded. The Government of India at first objected to the powers conferred by *Section 67* (2) (ii) and this objection is still maintained; they have however allowed the clause to stand on the understanding that the Commissioners recognize the importance of the interests to be protected and are prepared to recast their present system of taxation.

18. *Section 69* is to a great extent and *Sections 70, 72, 74* and *75* are entirely new. As regards chapter V, it will be noticed that *Section 79* is new as also *Sections 84* and *85*. *Section 83* is to a great extent new and is important. Bye-laws should be made. The following Sections are also new *viz.*, *98, 102, 108, 109, to 111, 113, 114, 116, 121* to *123, 130* and *143*. *Section 124* (*1*) follows old Section 177 A. but is considerably enlarged. *Section 138* differs from old Section 224 in that the maximum penalty for infringement of a bye-law has been raised from Rs. 20 to Rs. 50 and the maximum daily fine for a continuing breach has been reduced from Rs. 10 to Rs. 5.

19. A comparison of *Sections 144* to *149* will show that the penalties for the various offences have been altered, in some cases raised and in some reduced. The following Sections in chapter VI are new *viz.*, *152 to 155, 157* to *161* and *163* and *164*. Chapter VII is entirely new. While chapter VIII is for the most part new. In chapter IX *Sections 177, 179, 184, 185*, and *188 to 191* are new.

20. It will be noticed that bye-laws are contemplated in the following Sections *viz.*, 25 (1), 26 (1), 28 (2), 32 (1) (a) to (i), 83 (1), 83 (2) 84 (1) 102 (a) (2) (h) 106, 110, 111, 113 (3), 124, and 137 (a) to (l). Bye-laws are of three kinds *viz.*, (1) those which require the approval of the Resident *viz.*, under Sections 32 (1) (c) and 32 (1) (f) (2); those which require the confirmation of the Resident *viz.*, all bye-laws under chapter V, and (3), those which require neither the approval nor the confirmation of the Resident *viz.*, bye-laws under Sections 25 (1), 26 (1), 28 (2), 32 (1) (a), 32 (1) (b), 32 (1) (d), 32 (1) (e) 32 (1) (g) to (i). Bye-laws can be passed at special meetings only *vide* Section 3 (13). Drafts of all bye-laws save those under Sections 25 and 32 have to be published in such manner as the Commission deems sufficient for giving information to persons interested, and the notice which must accompany such draft has to specify a date on or after which the draft will be considered. Any objections that may be received have to be considered by the Commission and also by the Resident should his confirmation be required by law. All bye-laws save those under Section 25 or 32 have to be notified in English and in such other language as the Resident may direct. The word "notified" means published in the Gazette of India Part II and it will consequently be necessary when any such bye-law is finally made to forward a copy of it to this office for publication in the Gazette. The Resident will be glad to know if the Commission think it necessary to have the bye-law translated into any vernacular and published in any local paper, if so, the vernacular and the paper should be mentioned.

Residency Press, Bangalore.—29-7-97.—40.

5

No. 3505, dated Bangalore, the 24th August 1897.

From—Captain K. D. Erskine, I. S. C., First Assistant to the Resident in Mysore.

To—The President, Municipal Commission, Civil and Military Station, Bangalore.

I am directed to address you in continuation of paragraph 7 of this office letter No. ~~3089~~ 3098, dated 28th July 1897. X S. 4

2. The urgency arising out of the sanitary arrangements of Bangalore is so obvious that the Resident trusts the Municipal Commissioners will at once take steps to delegate such of their functions to the Health Committee and the Medical Officer as may be necessary to enable them to supervise the proceedings of the health and registration establishments effectively. Colonel Robertson has had an opportunity of discussing this matter at some length with you and Brigade Surgeon Lieutenant-Colonel Dobson, who is most anxious to assist in remedying all sanitary defects and you will be able to explain the Resident's views and intentions to the Commissioners.

3. Briefly stated they are that no system of sanitation in the Civil and Military Station is likely to be satisfactory which does not provide for the direct and immediate control by the Medical Officer, (Residency Surgeon), over all the proceedings of the health department. It is moreover absolutely essential that the Health Officer should be subordinate to the one officer who alone has the capacity for the efficient direction of sanitary measures. To place the Health Officer in direct and exclusive subordination to the President, keeping the Medical Officer in the back ground only to be called upon when questions arise which appear to require his advice or when an epidemic appears is to perpetuate inefficient control and needlessly to hamper very important work. As President you have a large variety of duties to perform and it is impossible that you can devote the time to sanitary matters which their extreme importance requires.

4. The Commissioners are, I am to mention, entitled to maintain their general financial control and if necessary to lay down general rules for guidance, but in order to ensure harmonious working detailed and irritating interference should as far as possible be avoided. If the Medical Officer is careful to maintain himself in close touch and constant communication with you in all matters affecting the sanitation, and improvement of the Station, and additionally in his capacity as Chairman of the Health Committee keep the Commissioners constantly informed of the progress of his business in order to explain and as far as possible to popularize the measures undertaken by the Health Department, the chances of friction or disagreement would be reduced to a minimum. The more independence, within certain prescribed limits, the Medical Officer is allowed to exercise the better. It is impossible for him to undertake the responsibility for the sanitation of the Station which should be imposed upon him unless he is given considerable latitude in working the health department and for this purpose if for no other it is very essential that there should be one head and central authority in all sanitary matters.

5. The delegation of the necessary powers under the new law to the Medical Officer and the Health Committee will not interfere in an appreciable manner with any of the legitimate functions of administrative control, such as the Commission as a body could reasonably claim to retain in its own hands, and the Resident trusts that the Commissioners recognizing the importance of securing the most competent agency for the supervision and control of sanitary matters will not hesitate to place Doctor Dobson in a position where he may be able to render effective assistance.

CIVIL AND MILITARY STATION

MUNICIPALITY.

No. 5.

Abstract of Proceedings of a Special Meeting of the Municipal Commissioners, for the Civil and Military Station of Bangalore, held at the MAYO HALL, at 7-30 a.m., on Thursday, the 19th August 1897.

President.

A. M. SLIGHT Esq., I. C. S.

Ex-Officio Commissioners.

PRESENT.	ABSENT.
ABDUL RAHMAN SAIB K.B., 2ND MAGISTRATE.	THE PRINCIPAL MEDICAL OFFICER.
	THE RESIDENCY SURGEON.
	THE DEPUTY ASSISTANT ADJUTANT GENERAL.
	THE EXECUTIVE ENGINEER, BANGALORE DIVISION, MILITARY WORKS.
	THE DISTRICT SUPERINTENDENT OF POLICE.

Elected Commissioners.

PRESENT.	ABSENT.
P. L. BRIDE, Esq.	H. ABRAHAM, Esq.
J. SAUSMAN, Esq.	T. BARTON, Esq.
O. J. BIRD, Esq.	DINSHAW M. BILLIMORIA, Esq.
J. O'SHAUGHNESSY, Esq.	M.R.Ry. V. A. KRISHNASWAMI MOODR. Avl, R.B.
MOHIDEEN KHAN SAIB.	
MAHOMED ALI SAIB, K.B.	
N. MEERAN SAIB.	
AGA ABDUL HUSSAIN SAIB.	
M.R.Ry. V. SADASIVA MOODR. Avl.	
„ V. GUNGATHARA CHETTYAR Avl, R.B.	
„ B. P. ANNASWAMI MOODR. Avl, R.B.	
„ A. R. CHELVAROYA MOODR. Avl.	
„ C.N. SOORIYANARAYANA ROW Garu.	
„ V. SUNDARALINGA CHETTYAR Avl.	

from the Division in which the property to be assessed is situated. The President shall issue a summons to the Commissioner or Commissioners, naming the day and hour at which his or their attendance is required. The Commissioner or Commissioners so summoned shall be bound to attend.

When any property assessed to this tax, or to a tax under section 48 has remained unoccupied and unproductive of rent throughout the year, or either of the half years April to September and October to March, the President shall remit the full amount of the tax or instalment due for such period, provided that the required notice of vacancy has been given.

When in any case not within the provisions of the above Bye-Law, any such property as aforesaid has not been occupied or productive of rent for a period of not less than 60 consecutive days in any year, or when such property is wholly or in greater part demolished or destroyed by fire or otherwise so as to be unfit for occupation, the President shall remit such portion of the tax at which such property is assessed for the year, as is proportionate to the number of days the said property has remained unoccupied or unfit for occupation, provided that the owner of such house or his agent shall have given to the President notice in writing of the vacancy thereof and that the amount of tax to be remitted shall be calculated from the date of delivery of such notice.

Carried unanimously.

Resolved that the Bye-Laws framed by the Committee, under the Vaccination Act No. XIII of 1880 be approved, and published under Section 180 Bangalore Municipal Law.

(*File No.* 68 *of* 90.)

Carried unanimously.

A. M. SLIGHT,
President.

No. 3620, dated Bangalore, the 1st September 1897.

From—Captain K. D. Erskine, I. S. C., First Assistant to the Resident in Mysore.

To—The President, Municipal Commission.

I am directed to acknowledge receipt of your letter No. 2509, dated the 24th ultimo with which was forwarded, for the information of the Resident, a copy of a Resolution passed by the Commission at their special meeting on the 19th idem. In this Resolution the Commissioners approve the recommendation of a Committee appointed by them to the effect that "it is not desirable at present to make any alteration in the executive administration."

2. In reply, I am first of all to observe that, when passing their Resolutions regarding the Health Committee and general delegation of powers on the date above mentioned, the Commission had not seen my letter No. 3505 of the 24th ultimo. Next, the Resolution under acknowledgment does not deal with the whole of paragraph 7 of my letter No. 3098 of the 28th July last. Moreover the Resident understands that the letter last quoted was not laid before the Commissioners at the special meeting in question. Under these circumstances, I am to request that at the approaching special meeting which has been convened to consider the former of the two letters above mentioned, these further remarks may be taken into consideration and circulated in sufficient time beforehand to the Commissioners.

3. The powers which the Commission propose to delegate to the Health Committee are comprised in the following sentence:—

"The Committee may advise and report upon any question arising under Chapters V and VI of the Municipal Law, and the President may refer for their consideration any question relating to the matters referred to in Section 23 of the Municipal Law."

It is obvious that this proposed delegation tends to extinguish the utility of the Health Committee. It merely enables them to advise and report without requiring them to do anything in particular, and it is only reasonable to suppose under such circumstances that, finding they have no real responsibility or authority, they will soon cease to take the interest in their work without which they will render no effective assistance. Then again the President has power, under the Resolution as drafted, except when the Health Committee tender advice which may or may not be accepted, or submit a report which may go entirely unheeded, to ignore them altogether. Colonel Robertson cannot believe that this is the intention of the Commissioners and he requests that they will be good enough to reconsider the matter in the light of the foregoing remarks and on the basis of entrusting to the Health Committee, under the guidance of the Medical Officer, such powers as will enable them to deal effectively with the at present admittedly imperfect sanitation of the Civil and Military Station.

4. Thirty copies of this letter in print will be sent to you to-morrow so that they may be distributed among the Commissioners.

Residency Press, Bangalore.—2-9-97.—32.

H. O.
C 800—9—12—1901.

8

No. 3041

CIVIL AND MILITARY STATION, BANGALORE,

MUNICIPAL OFFICE.

DATED 20 Septr 1897.

FROM

A M Slight Esq, I C S
~~H. T. HARRIES, ESQUIRE, I. C. S.,~~

President, Municipal Commission,

M. Station, Bangalore.

To

The Chief Assistant to the Resident in Mysore,

Bangalore.

SIR,

I have the honor to forward herewith the Detailed Report of the proceedings of a Special Meeting of the Municipal Commissioners held on the 9th September 1897 and to request that you will be good enough to return the same to this office after it has been perused by the Resident. I enclose also the detailed reports o the meetings of 16th and 23rd July 1896, therein referred

BANGALORE STATION MUNICIPALITY.

Proceedings of a Special Meeting of the Municipal Commissioners for the Civil and Military Station of Bangalore held in the Mayo Hall on Thursday, September 9th, 1897.

Present.

A. M. Slight, Esq., I. C. S., President.

Ex-officio Commissioners.

Surgeon Colonel S. B. Hunt, Principal Medical Officer.
Lieut.-Colonel Skinner, R. E., Executive-Engineer, Military Works Department.
Major H. Finn, Asst.-Adjt. General for Dy. Asst.-Adjt. General.
Brigade Surgeon Lieut.-Colonel A. F. Dobson, Residency Surgeon.
E. Hewetson, Esq., District Superintendent of Police.
M. Abdul Rahman, Esq., K. B., 2nd Magistrate.

Elected Commissioners.

P. L. Bride, Esq.
H. Abraham, Esq.
O. J. Bird, Esq.
J. Sausman, Esq.
J. E. O'Shaughnessy, Esq.,
N. Meeran Saib.
K. Mahamed Ali Saib, K. B.
Mohideen Khan Saib.
M. R. Ry. V. Sadasiva Mudliar, Avergal.
" V. Gungathara Chetty, Avergal R. B.
" V. Soondralingam Chetty, Avergal.
" V. Krishnasamy Mudliar, Avergal R. B.
" C. N. Sooryanarrain Row Garu.
" B. P. Annasamy Mudliar, Avergal R. B.
" A. R. Chelvaraya Mudliar, Avergal.

Business.

I. Letter No. 3505, dated 24th August 1897 from the First Assistant to the Resident in Mysore, communicating the views of the Resident regarding the future working of the Health Department.

II. Letter No. 3620, dated 1st September 1897 from the First Assistant to the Resident in Mysore communicating the Resident's views on the Resolution of the Commissioners, dated 19th August 1897, regarding the non-desirability of making any alteration in the executive administration, and the powers proposed to be delegated to the Health Committee.

President.—There are two letters from the Resident to consider this morning. They are both very important communications, and are so closely connected with each other that I shall read them out one after the other. We cannot very well separate them. (Read letters) These letters contain no definite proposals of anything in the way of Bye-laws under Section 25 for the delegation of executive powers. The first letter contains a general recommendation which is similar in substance to the recommendations which were contained in Dr. Ross's report on the sanitation of the Station, and which were discussed at a meeting held on the 16th July 1896 and again on the 23rd July at an adjournment of that meeting. At these meetings the subject for discussion was practically the same as that before us now. (Read subject from the record; also the

proposal before these meetings). The subject then discussed was under Sections 48 and 49 of Dr. Ross's report under the head of "Sanitation." That is practically the same proposal which is before us now and what we want is only a definite proposition as to Bye-laws regarding the delegation of the powers referred to. On that occasion the following amendment was proposed by me seconded by Mr. Abdul Rahman and carried:—

"That the Commissioners consider that it would be preferable to have an efficient Health Officer in charge of the Health Department, subject to the ordinary executive control, together with an advising Committee who would be a constant criticising body, who would be regularly referred to for advice in all important matters of sanitation, and who might be regularly informed of what work was being done, and entrusted with separate executive power in purely technical matters which may require urgent attention."

The subject matter was then the same as now and there has been no lengthy discussion since then. The Resident refers to an opportunity which he says he has had of discussing this matter at some length with me. I can only say that that opportunity was not taken by me to represent the other side of the question at any length. The Commissioners are not constituted now as they were in July 1896; the general elections have taken place since then, and no doubt some of the Commissioners do not remember the opinions expressed then. (Read detailed report of opinions expressed on that occasion.)

It will thus be seen that the views criticised at that time agreed almost word for word with what is recommended now. I argued then on a point to which a Commissioner had called attention that, although the report professed to recommend for the Health Committee independence of the President's executive control only and not of the control of the Commission, the veil was lifted here and there and showed behind a distinct intention that the Committee would not submit to any interference. It is now clearly stated as the opinion of the Resident that interference should be reduced to a minimum point. Similarly through all of it appear the same tendencies which were then dimly shadowed and covered by a veil, indicating that the final aim of the Health Committee would be practical independence of the Commission. The Resident bases his recommendation largely on this view that "no system of sanitation in the Civil and Military Station is likely to be satisfactory which does not provide for the direct and immediate control by the medical officer over all the proceedings of the Health Department."

It is notorious that doctors disagree on matters in which they are specialists, and it is very obvious that even local governments may disagree. In the municipalities of Madras, Bombay, and Calcutta, and, as far as I know, in all the most important municipalities in India, all sanitary matters are managed by a Municipal Health Officer under the control of the ordinary municipal executive authority; and government maintains a Sanitary Commissioner to inspect municipalities and to report on the efficiency or otherwise of the management. If anything is found wrong government very quickly calls upon the municipality to put it right. It is also on record that Residents, disagree. In 1889 the Residency Surgeon was, as he is now, endeavouring to reach the administrative arrangements which are at present under discussion. It was not, however, contemplated then that we should separate this important limb of the Commission; it was only proposed to appoint a Health Officer. But the Resident considered that there was nothing recondite in practical sanitation and that any man with some energy and good sense should be able to carry out the duties under the ordinary control of the Commission and that a salary of Rs. 150 was enough to secure a competent man. (Read record on subject) such is the difference of opinion on different occasions in the views of Residents. When there can be such a vast difference of opinions in the view of people in authority, it is obvious that the Commissioners must consider the matter very carefully in connection with what they know of the needs of the Station and not change their minds from one year to another unless they feel fully justified with sufficient reasons before them. I have had no view or arguments placed before me since the discussion took place in July 1896 on which I could found a change of opinion. I think it is not inconsistent with

my duty to the Resident and essential as my duty to the Commission I should state my views clearly, even if I run the risk of incurring the Resident's displeasure by not fully accepting his views. I therefore put my views in concrete form in the following proposition. We are at present asked, in a general, vague way, to hand over the Health Department. It is easy enough to say that, but the work of that Department is so inextricably mixed up with the work of other Departments, that it is impossible at once to make a clear severance of the Health Department from the executive control of the President. We can do nothing without clear Bye-laws before us for our consideration, showing definitely the powers that are to be delegated to the Committee. We are perfectly ready to give full consideration to every proposal put before us regarding the handing over of powers to the Health Department, but to say merely that the general executive management of municipal affairs and the Health Department are hereby, and for ever after, severed, would, I think be a most inpracticable Resolution to come to.

The following was the President's proposition :—

That the Commission with all due deference to the opinions expressed by the Resident, adheres to the view expressed in its Resolution of July 23rd 1896 ; but will give full consideration to any Bye-laws that may be proposed by the Health Committee defining clearly the powers which it may be proposed to delegate to that Committee.

Mr. O'Shaughnessy seconded the proposition.

Mr. Bride.—You have been pleased to read us two letters from the British Resident. I beg to draw your attention to paragraph 2 of the letter in which the Resident distinctly asked you to explain his views to the Commissioners. I beg to say that this has not been done, and as regards the other letter, the Resident has, among other things, told you his views as to the appointment of Vice-Presidents. These were not laid before the Commissioners at their special meeting of the 26th, at which the Resident specially desired they should be. If they are to be discussed at all, they must be discussed to-day. Moreover, the British Resident says, under Sections 23 and 25 of the new Law, that powers should be delegated to the Health Committee. I therefore take up the subject of sanitation and put in an amendment on the proposition set forth by you just now. My amendment is:—

That the Commission, under Sections 23 and 25 of the Municipal Law of 1897, shall delegate to the standing Health Committee the current executive administration of its duties relating to the sanitation, conservancy, food and water-supply, the registration of vital statistics, vaccination, and all other matters pertaining to the health of the Station.

The President.—I do not know if this will come under the definition of an amendment (Consults Law) I cannot admit it as an amendment, but it may be put in as a separate proposition.

Mr Bride.—Very Good, Sir I would further point out paragraph 2 of the Resident's letter (read paragraph). According to the reading of that paragraph I contend that it is the intention of the Resident that we are to take up the two subjects of sanitation and the appointment of a Vice-President together, and if the Commissioners agree with me, I am prepared to put forward the name for election.

The President.—In regard to the election of a Vice-President.

Mr. Bride.—Here it is; I put it before you. The question is are you going to put it before us or not? If you are, let us go into it. The Resident was perfectly right when he asked us to dispose of the matter, and there is no necessity now to adjourn it. I contend we must take up this matter now and dispose of it in accordance with the reading of the Resident's views and the section of the new Law. I accordingly put in a proposition.

Mr. O'Shaughnessy.—I beg to say Mr. Bride cannot discuss this subject. It is out of order.

The President.—I shall have to rule any such proposition out of order.

Mr. Bride.—Very well, Sir; You may overrule it if you like, but kindly record what I have said.

Entered by Mr. Bride.
A. M. S.

The President.—I would call your attention to Section 11 of the Bye-laws relating to the procedure of meetings, which says that a speaker shall confine himself to the matter before the meeting or to a point of order.

Mr. Hewetson.—Is there a standing Health Committee?

The President.—Yes.

Mr. Hewetson.—When *was it* appointed?

The President.—In 1896, by the Commission.

Mr. Hewetson.—Have they any rules to guide them?

The President.—Yes; rules for the guidance of Committees were passed by the Commissioners as Bye-laws on the 19th August last, and it is one of these rules that is the subject of the Resident's second letter.

Mr. Sausman.—In the event of the outbreak of an epidemic, who is responsible for the sanitation of the Station?

The President.—Any person or Committee whom the Commissioners may appoint.

Mr. Sausman,—But at present?

The President.—No other person being as yet appointed, it would be the President. He would have to see that the Health Officer did his duty.

Mr. O'Shaughnessy.—There are so many details involved in this proposition of which we know nothing at present, that it is impossible to dispose of it now. We don't know if the present Medical Officer would be relieved of his duties as Residency Surgeon. We would also like to know if any increased allowance is to be made to him for the extra responsibility. The Residency Surgeon has been Chairman of the Health Committee for some time, but so far as I know there have been no reports or complaints sent in by that body. This I suppose must be due to the fact that they have nothing to complain of. I maintain that no town or city in India is kept so clean without a systematic water-supply and a drainage scheme as Bangalore. I therefore think it advisable to adopt your proposition until some more definite proposal is laid before us. I don't see how you can dispose of it till then. The Resident says the financial item of control will still remain in the hands of the Commissioners. Let it be clearly defined what the Health Committee want. This is a matter that has been exciting a good deal of interest and I am sure the Resident is quite prepared, in disposing of it, to be reasonable and to treat the Commissioners fairly and justly, and to give them some credit for having a sense of the duties attached to their position. The whole thing hinges upon what power the Chairman of the Health Committee wants. When we know this I think the Commissioners would be able to answer him. At present there is really nothing to go upon.

Colonel Skinner.—What is the question before the meeting, may I ask?

The President read his proposition.

Mr. Annasamy Mudliar.—I think it would be better to give the Health Committee a chance to make Bye-laws and thus explain what they want, and let those Bye-laws be circulated to the Commissioners. As the Resident is so anxious that a part of the control should be given to the Health Committee, let us know in some shipshape form what they want. Then we will be in a better position to answer this matter than now. There should be a certain amount of control given, but that should be clearly laid down. In my humble opinion, therefore, I would ask this meeting to be postponed.

The President.—Has any body else anything to say ?

Mr. Sooryanarrain Rao.—I think the subject has been fully discussed, and therefore suggest that the proposition be put to the vote.

Result of vote on the President's proposition 15 for and 6 against. The six Commissioners who opposed the motion at the vote were Drs. Dobson and Hunt, Colonel Skinner and Messrs Bride, Sausman and Sadasiva Mudliar.

Mr. Bride's proposal was then put, as a separate motion, to the vote, seconded by Mr. Sadasiva Mudliar.

Dr. Dobson.—I support Mr. Bride's proposition as meeting the views of the Resident in his letter, and in doing so I feel satisfied that the motion is in the best interests of the sanitary needs of the Station. The way it has been put to the meeting is not such as in any way commends itself to me. It has been controversed in such a way that there would be no good in my trying to represent the opposite side of the question the present is an inopportune time to do so and I merely repeat that the motion is directed in the best interests of the sanitary needs of the Station.

The President.—As the Residency Surgeon has taken objection to the way in which the proposition of Mr. Bride has been put before the Commissioners, I shall explain it. Mr. Bride wished to put in his proposition as an amendment, but this is clearly against the Bye-laws which read (reads Bye-laws). It is obvious under this section that the second proposal could not be put as an amendment to the first. It is almost a direct negative of the first proposition and it was impossible to fit it into that proposition or frame it with it in such a way that the whole should form an intelligible sentence. There was therefore no option but to separate the propositions entirely.

Mr. Bride.—May I ask whether these notes (Bye-laws for conduct of business lying on table) have been circulated to Commissioners ? There appear to be a lot of new rules before us.

The President.—They were discussed at an ordinary meeting and then confirmed at a special meeting of the Commission held on the 19th August at which you were present.

Mr Bride.—It is therefore put on the table this morning and although we are ignorant of its contents, still we are to be guided by it.

Entered by Mr. Bride.
A. M. S.

Mr. Bride's proposal was then put to the vote.

Result—Six for and 11 against. Rest not voting.

The meeting rose at 9-15 A. M.

From

The First Assistant to the Resident in Mysore.

To

The president, Municipal Commission,
C & M Station of Bangalore.

Dated Bangalore, 28th September 1897

Sir,

I am directed to return herewith the detailed report of the proceedings of a special meeting of the Municipal Commissioners held on the 9th instant together with the detailed reports of the meetings of the 16th and 23rd July 1896, which were forwarded with your letter No.3041 dated the 21st current.

2. Looking to what has passed since the meeting of the 9th September, the Resident does not wish to discuss the speech made by you. At the same time, he desires to place on record his entire disagreement with the arguments employed in the speech in order to defeat the proposals which he asked the Commissioners to consider.

I have &c,

(Sd) K.D.Erskine Captain,
First Assistant Resident.

CIVIL AND MILITARY STATION.

BANGALORE

MUNICIPALITY.

No. 14.

Abstract of Proceedings of an Ordinary Meeting of the Municipal Commissioners, for the Civil and Military Station of Bangalore, held at the MAYO HALL, at 7-30 a.m., on Thursday, the 25th November 1897.

President.

A. M. SLIGHT Esq., I. C. S. Present.

Vice-President.

J. O'SHAUGHNESSY, Esq., Present.

Ex-Officio Commissioners.

PRESENT.	ABSENT.
SURGEON-COL. S. B. HUNT, PRINCIPAL MEDICAL OFFICER, B.D.	*THE DY. ASSISTANT ADJT. GENERAL.
BRIGADE-SURGEON-LIEUT-COL. A. F. DOBSON, RESIDENCY SURGEON.	THE EXECUTIVE ENGINEER, BANGALORE DIVISION, MILITARY WORKS.
EDW. HEWETSON ESQ., DISTRICT SUPERINTENDENT OF POLICE.	THE SECOND MAGISTRATE.

Elected Commissioners.

PRESENT.	ABSENT.
P. L. BRIDE, Esq.	†M.R.Ry A. R. CHELVAROYA MOODR. Avl.
J. SAUSMAN, Esq.	„ V. SUNDARALINGA CHETTYAR Avl.
O. J. BIRD, Esq.	
H. ABRAHAM, Esq.	
T. BARTON, Esq.	
MOHIDEEN KHAN SAIB.	
MAHOMED ALI SAIB, K.B.	
N. MEERAN SAIB.	
AGA ABDUL HUSSAIN SAIB.	
DINSHAW M. BILLIMORIA, Esq.	
M.R.Ry. V. SADASIVA MOODR. Avl.	
„ V. GANGATHARA CHETTYAR Avl, R.B.	
B.P. ANNASWAMI MOODR. Avl, R.B.	
K. A. KRISHNASWAMI MOODR. Avl, R.B.	
„ C.N. SOORYANARAYANA RAO Garu.	

* Captain Fischer came to the meeting and inquired whether his presence was required. He left with the President's permission, having, other important business.

† Mr. Chelvaroya Moodr. wrote to explain his absence on account of ill-health.

MUNICIPALITY OF THE CIVIL AND

Statement of Receipts and Expenditure on account

RECEIPTS.	Amount.		
PART I.—Opening Balance—			
1. Current Account	* 97,438	12	6
2. Endowments	6,864	10	4
3. Fixed Reserve	16,000	0	0
PART II—Rates and Taxes—			
1. Tax on Professions and Trades	146	0	0
2. Tax on Houses, Buildings and Lands ...	7,812	12	0
3. Lighting Tax	1,573	14	10
4. Town Duties—			
(*a*). Tobacco	1,942	2	6
(*b*). Betel Leaves...	389	2	6
(*c*). Dry Cocoanuts	87	0	1
(*d*). Green Cocoanuts	865	2	6
PART III.—Revenue derived from Municipal Property, &c.—			
1. Rent of Lands and Buildings	820	2	0
2. Sale produce of land	...	...	...
3. Fees	3,139	11	2
4. Produce of lands	26	14	0
5. Sale of old materials and Tools	36	14	3
6. Miscellaneous license and Registration fees ...	7,718	4	0
7. Conservancy receipts	2,270	9	0
8. Process Fees	27	12	0
9. Fines	30	8	0
10. Interest on Fixed Deposit	...	...	...
PART IV.—Grants and Contributions—			
1. Government.			
(*a*). Suburban roads	...	...	...
(*b*). Military roads	...	...	...
(*c*). Main sewer	...	...	...
(*d*). Assessment of Kandayam lands ...	...	...	...
(*e*). Local Cess on Abkarri and Land Revenue	1,801	14	4
2. Pensionary Contributions	193	2	3
3. From other sources	...	...	...
PART V.—Miscellaneous—			
1. Quarry Licenses	...	...	...
2. Fees under Hackney Carriage Rules ...	13	0	0
3. Cattle Pound Fees	204	1	6
4. Sale of copies of Municipal Regulations and Bye-Laws	2	8	0
5. School fees	5	0	0
6. Town duty Miscellaneous Receipts	2	0	6
7. Refund from expenditure of previous years ...	...	...	...
8. Extraordinary	8	11	0
Total Receipts Part I to V	1,48,770	9	3
Income-tax under Part I	65	13	11
Advances recovered	398	14	8
Grand Total ...	1,49,235	5	10

* In Madras Bank Fixed Deposit 75000 0 0
In Madras Bank Fixed Deposit on account of Mr. Ross 200 0 0
In Madras Bank Current Deposit 22,238 12 6

97,438 12 6

MILITARY STATION OF BANGALORE.

of Municipal Fund, for the Month of October 1897.

EXPNDITURE.	Amount.		
GRANT I.—Public Works—			
1. New Works	1,007	1	4
2. Repairs	3,194	1	9
3. Establishment	854	0	0
4. Tool and Plant	41	0	0
5. Miscellaneous	20	8	0
GRANT II.—Education—			
1. Grants-in-aid to Primary Schools ...	819	5	4
2. Building and Furniture grants... ...	...	...	...
GRANT III.—Sanitation and Medical Services—			
1. Hospitals and Dispensaries			
(*a*). Bowing Civil Hospital	1,963	5	3
(*b*). Alsoor Dispensary	108	8	1
(*c*). Chatram for Pilgrims	67	0	0
(*d*). Maternity Beds for Zenana Hospital...	69	15	4
2. Health Department			
A. General Conservancy and Sanitation...	6,957	14	2
B. Medical	376	2	0
C. Markets	197	9	9
D. Slaughter House	140	0	0
3. Tank Conservancy Establishment ...	111	12	0
4. Cholera and other charges	188	10	6
GRANT IV.—Miscellaneous—			
1. Lighting	1,284	4	10
2. Maintenance of Avenues	40	0	0
3. Public Parks	148	0	0
4. Pounds	119	12	0
5. Hackney Carriages...	201	4	3
6. Prosecution	150	8	0
7. Fire Engines	...	...	...
8. Other charges	96	14	0
9. Charitable Grants—			
Convent Orphange	75	0	0
Friend-in-Need Society	50	0	0
St. Patrick's Orphanage	150	0	0
Girdlestone Ward	100	0	0
Children's Home	30	0	0
Mahomedan Orphanage	25	0	0
Society for the Prevention of Cruelty to Animals	25	0	0
10. Acquisition of lands...	...	...	...
GRANT V.—Supervision and Management—			
1. Salaries of officers	300	0	0
2. Head office	587	14	4
3. Assessment and Collection	1,044	9	1
4. Town duties	934	2	2
GRANT VI.—Pensions and Gratuities—			
Pensions and Gratuities	82	11	5
Total Charges Grants I to VI ...	21,506	13	7
Income-tax under Part I	65	13	11
Advances recoverable	24	2	0
Total Expenditure...	21,596	13	6
Balance. Current Account	* 1,05,373	14	0
Fixed Reserve	16,000	0	0
Endowments	6,264	10	4
Grand Total...	1,49,235	5	10

* In Madras Bank Fixed Deposit 75,000 0 0
In Madras Bank Fixed Deposits on account of Mr. Ross 200 0 0
In Madras Bank Current Deposit 30,173 14 0
Grand Total ... 1,05,373 14 0

THE MUNICIPALITY OF THE CIVIL AND

Statement shewing Receipts and Expenditure as compared with

PARTICULARS.		RECEIPT.		
		ESTIMATED.	REALIZED.	BALANCE UNCOLLECTED.
PART I.—Opening Balance ...	1. Current Accounts ...	1,13,054 0 0	97,438 12 6	15,615 5 6
	2. Endowments	6,265 0 0	6,264 10 4	0 5 8
	3. Fixed Reserve	16,000 0 0	16,000 0 0	... ...
PART II.—Rates & Taxes ...	1. Tax on Professions & Trades.	11,200 0 0	5,519 0 0	5,681 0 0
	2. Tax on houses, buildings and lands	51,500 0 0	9,253 13 1	42,246 2 11
	3. Lighting Tax	12,300 0 0	1,865 14 9	10,434 1 3
	4. Town duties	43,500 0 0	28,755 0 7	12,744 15 5
PART III.—Revenue Derived, &c.	1. Rent of lands and buildings.	10,900 0 0	6,382 12 4	4,517 3 8
	2. Sale proceeds of land ...	... ...	... ...	... ...
	3. Fees	37,900 0 0	19,051 11 2	18,848 4 10
	4. Produce of lands ...	1,100 0 0	1,085 1 0	14 15 0
	5. Sale of old Materials & Tools	300 0 0	99 14 7	200 1 5
	6. Miscellaneous License and Registration Fees ...	50,110 0 0	34,044 12 0	16,065 4 0
	7. Conservancy receipts ...	35,600 0 0	16,869 14 4	18,730 1 8
	8. Process Fees	1,100 0 0	400 11 11	699 4 1
	9. Fines	1,500 0 0	967 6 1	532 9 11
	10. Interest on fixed deposit ...	2,174 0 0	2,361 7 0	+ 187 7 0
PART IV.—Grants & Contributions.	1. Government	46,885 0 0	28,319 12 8	18,515 3 4
	2. Pensionary Contributions ...	2,200 0 0	1,375 10 0	824 6 0
	3. From other sources ...	... ...	... ...	... ...
PART V.—Miscellaneous ...	1. Quarry Licenses ...	50 0 0	48 0 0	2 0 0
	2. Fees under Hackney Carriage rules	2,900 0 0	2,450 0 0	450 0 0
	3. Cattle Pound Fees ...	1,700 0 0	1,166 12 6	533 8 6
	4. Sale of copies of Municipal Regulations and Bye-Laws	20 0 0	31 6 0	+ 11 6 0
	5. School Fees	60 0 0	34 3 0	25 13 0
	6. Town duty Miscellaneous receipts	30 0 0	21 6 8	8 9 4
	7. Refund from expenditure of previous years ...	30 0 0	1,633 11 6	+ 1,603 11 6
	8. Extraordinary	600 0 0	308 1 2	291 14 10
				1,73,080 11 4
				— 1,802 8 6
Total Receipts Parts I to V		4,48,928 0 0	2,76,749 13 2	1,72,178 2 10
Income Tax under Part I		... ...	472 13 6	+ 472 13 6
Advances recovered		... ...	12,170 10 3	+ 12,170 10 3
Grand Total ...		4,48,928 0 0	2,89,393 4 11	1,59,534 11 1

MILITARY STATION OF BANGALORE.

Budget Estimate from 1st April 1897, up to the 31st October 1897.

PARTICULARS.		EXPENDITURE.								
		ESTIMATED.			ACTUAL.			BALANCE UNEXPENDED.		
GRANT I.—Public Works.	1. New Works	46,709	0	0	3,166	14	1	43,542	1	11
	2. Repairs	55,843	0	0	24,170	2	10	31,672	13	2
	3. Establishment	10,508	0	0	5,978	0	0	4,530	0	0
	4. Tools and Plant	500	0	0	417	10	0	82	6	0
	5. Miscellaneous	600	0	0	83	11	4	516	4	8
GRANT II.—Education	1. Grants-in-aid to Primary Schools	10,500	0	0	5,585	5	4	4,914	10	8
	2. Building & Furniture Grants.	500	0	0	...	...	...	500	0	0
GRANT III.—Sanitation and Medical Services	1. Hospitals and Dispensaries.	31,176	0	0	17,474	12	6	13,701	3	6
	2. Health Department—									
	(A). General Conservancy and Sanitation	88,767	0	0	50,173	6	3	38,593	9	9
	(B). Medical	5,631	0	0	2,937	6	8	2,693	9	4
	(C). Markets	2,587	0	0	1,344	13	9	1,242	2	3
	(D). Slaughter House	1,840	0	0	969	14	4	870	1	8
	3. Tank Conservancy Establishment	1,594	0	0	776	13	4	817	2	8
	4. Cholera and other charges	1,000	0	0	899	0	5	100	15	7
GRANT IV.—Miscellaneous	1. Lighting	17,612	0	0	9,793	14	7	7,818	1	5
	2. Maintenance of Avenues	500	0	0	280	0	0	220	0	0
	3. Public Parks	2,000	0	0	1,042	8	1	957	12	11
	4. Pounds	1,648	0	0	937	15	0	710	1	0
	5. Hackney Carriages	2,504	0	0	1,400	14	6	1,103	1	6
	6. Prosecution	1,806	0	0	1,053	8	0	752	0	0
	7. Fire Engines	400	0	0	...	...	...	400	0	0
	8. Other charges	6,207	0	0	1,610	14	2	4,596	1	10
	9. Charitable Grants	5,410	0	0	3,135	0	0	2,275	0	0
	10. Acquisition of lands	1,000	0	0	60	0	0	940	0	0
GRANT V.—Supervision and Management	1. Salaries of Officers	3,600	0	0	2,100	0	0	1,500	0	0
	2. Head Office	8,694	0	0	4,529	1	1	4,164	14	11
	3. Assessment and Collection	12,228	0	0	6,927	1	11	5,300	14	1
	4. Town Duty	12,408	0	0	6,667	11	8	5,740	4	4
GRANT VI.—Pensions and Gratuities	Pensions and Gratuities	1,180	0	0	604	5	9	575	10	3
Total charges Grants I to VI		3,34,952	0	0	1,54,120	8	7	1,80,831	7	5
Income Tax under Part I		...	...	...	472	13	6	+ 472	13	6
Advances recoverable		...	...	...	22,777	7	2	+ 22,777	7	2
	Total Expenditure	3,34,952	0	0	1,77,370	13	3	1,57,581	2	9
Balance... Current Account		91,711	0	0	1,05,373	14	0	+ 13,662	14	0
Fixed Reserve		16,000	0	0	16,000	0	0	...	...	...
Endowments		6,265	0	0	6,264	10	4	0	5	8
	Grand Total...	4,48,928	0	0	3,05,009	5	7	1,43,918	10	5

CIVIL AND MILITARY STATION, BANGALORE, MUNICIPAL OFFICE.

Abstract of Deposits Account for the month of October 1897.

	Rs.	A.	P.
Balance brought forward	11,748	8	9
Deposits by Appellants	...	...	...
Do. by Renters	...	...	...
Do. by Contractors	682	0	0
Do. as Security by Municipal Servants ...	120	0	0
Deposited for the execution of work for which private parties are liable	...	...	...
Other Deposits under the Act or Bye-laws	137	12	2
TOTAL RECEIPTS...	939	12	2
TOTAL INCLUDING BALANCE...	12,688	4	11

		Rs.	A.	P.
Credited to Municipal Funds		73	8	6
Returned to Appellants		...	...	...
Do. to Renter		...	...	...
Do. to Contractors		58	0	0
Do. to Municipal Servants		50	0	0
Work done		...	...	...
Returned to Parties...		...	...	...
Paid to Claimants		27	12	3
	TOTAL...	209	4	9
	BALANCE*...	12,479	0	2
Details*	TOTAL...	12,688	4	11
In the Mysore Government Savings Bank ...	6,994 0 0			
Bangalore Bank Shares Lodged in Municipal Iron safe ...	3,250 0 0			
In the Madras Bank Current Deposit ...	2,235 0 2			
	12,479 0 2			

PARTICULARS OF CASH BALANCE FOR OCTOBER 1897.

In the Madras Bank Fixed Deposit				97,464	10	4
In do. do. Current Deposit				29,099	8	3
Bank shares, &c.—Lodged by Municipal servants & contractors as securities ...						
In the Mysore Government Savings Bank	6,994	0	0			
Bangalore Bank shares lodged in Municipal Iron safe ...	3,250	0	0			
Permanent advances	1,490	0	0			
Cash in the Chest	1,819	5	11			
				13,553	5	11
TOTAL RUPEES...				1,40,117	8	6

MEMO OF PARTICULARS.

Balance as per statement of Receipts and Disbursements on account of Municipal Fund for October 1897	30,173	14	0			
Do. as per abstract of deposit account for October 1897	12,479	0	2			
Amount in Madras Bank Fixed Deposit	97,464	10	4			
TOTAL RUPEES...				1,40,117	8	6

RETURN OF BIRTHS AND DEATHS WITHIN THE CIVIL AND MILITARY STATION, BANGALORE.

Reported from 1st to 31st October 1897.

MUNICIPAL CIRCLES.	1		2		3		4		5		6		7		8		9		10		11		12		13		14		TOTAL.					
AREA IN SQUARE MILES.	4·75		1·59		·61		·97		1·26		·47		·42		·15		·13		1·1		·57		·17		·15		·59		12·93.					
POPULATION CIVIL & MILITARY.	4,774		16,196		5,514		2,174		5,413		11,233		10,916		10,912		9,844		3,841		2,264		4,562		8,318		4,120		1,00,081.					
SECTIONS OF CIRCLES.	Dodigunta, Jeevanhally, Culpally, Kadariapalia, Binnamungalam Appiradipalia, Dookanhally, Domlur.		Ulsoor Bazaar, Knoxpett, Yeriyaparchary, Kannadaparchary, Jowgpalia, Nunthanavana garden, Royal Horse Troop lines.		Shoolay, Yellagudanapalia.		Arab Lines, Richmond Town Milkman's Parchary.		Aketimiahally, New Parchary, Nelsonutharam, Vannarpett, Ookadapalia.		Clarkspett, Sivanchetty Garden, Grass Cutter's Lines, Meenkaracheary, Bythavardi, Old Police Lines.		Chuppurchary, Ducks puddle, Bowringpet, Puckalichary.		Bamboochary, Motoochary, Boychary, Bundapalia, Sultanji, Gunta Band Stand.		West General Bazaar.		Benson Town, Baiderhally, Pettery Town, Old Tanneries, Ramasawmypalia.		Cleveland Town, New Kumbarshoolay, Papareddipalia Muthukuruppanpalia, Veeranna's gardens.		North Blackpally, Pensioner's Lines, Police Lines, Chuckler's Parchary, Pineerchary, Old Koruchapalia.		South Blackpally, New Koruchapalia, Balappa Gardens, Jeevanappa Garden.		High-Ground, Infantry Lines.		TOTAL.		Ratio per Mille per annum.	Mean of 10 previous years.		Ratio per Mille per annum.
	M.	F.	M.	F.	M.	F.	M.	F.	M	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.		M.	F.	
BIRTHS.																																		
ALIVE. Christians. Europeans	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	1	...	2	1				
East Indians	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	3·00			
Native Christians	...	...	1	...	1	1	...	...	...	1	...	...	3	...	1	1	...	...	1	...	1	3	...	...	3	2	1	1	12	9				
Hindus	3	6	12	21	8	4	2	2	3	3	2	3	10	10	11	6	5	4	2	4	2	3	2	2	3	5	3	3	68	76	17·27			
Mahomedans	...	2	...	...	...	2	1	1	...	...	1	6	...	2	...	2	4	1	...	...	1	...	7	6	5	4	3	2	22	28	6·00			
Others	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...			
Total...	3	8	13	22	9	7	3	3	3	4	3	10	13	12	12	9	9	5	3	4	4	6	10	8	11	11	8	6	104	115	26·26			
Total of Males and Females...	11		35		16		6		7		13		25		21		14		7		10		18		22		14		219			Information not available.		
Ratio per Mille per annum...	27·65		25·93		34·82		33·12		15·52		13·89		27·48		23·09		17·07		21·87		53·00		47·35		31·74		40·78		...		26·26	do.		do.

DEATHS.

| | | |

Statement of Deaths according to Age for the month of October 1897.

	Population.	Deaths.			Ratio per mille per annum.
		Male.	Female.	Total.	
Born Dead		5	2	7	
0 to 1	3329	29	17	46	165·82
1 „ 4	10408	9	8	17	19·60
5 „ 9	13534	3	5	8	7·09
10 „ 14	10066	3	3	6	7·15
15 „ 19	8909	3	6	9	12·12
20 „ 29	19116	10	2	12	7·53
30 „ 39	12911	2	9	11	10·22
40 „ 49	9271	11	9	20	25·89
50 „ 59	6035	8	7	15	29·83
60 and upwards	6502	23	19	42	77·51
Total ...	100081	101	85	186	22·30

1. Periodical Returns—

Statement of Sick.

(1.) READ—Statement of Sick at the Bowring Civil Hospital and Ulsur Dispensary for the month of October 1897.

(*File No.* 48 *of* 97.)

Resolution.—Recorded.

Statement of Births and Deaths.

(2.) READ.—Statement of Births and Deaths, for the month of October 1897, (as printed on pages 129 to 131).

(*File No.* 49 *of* 97.)

Resolution.—Recorded.

Statement of Accounts.

(3.) READ.—Statements of Accounts for the month of October 1897, (as printed on pages 123 to 128).

(*File No.* 65 *of* 97.)

Resolution.—Recorded.

Progress Report of Works.

4.) READ.—Progress Report of Works under execution for the month of October 1897.

(*File No.* 50 *of* 97.)

Resolution.—Recorded.

Return of Vaccination.

) READ.—Return of Vaccination for the month of October 1897.

(*File No.* 51 *of* 97.)

Resolution.—Recorded.

Return of Prosecutions.

READ.—Return of Prosecutions for the month of October 1897.

(*File No.* 52 *of* 97.)

Resolution.—Recorded.

Mr. Billimoria asked several questions regarding payments made to contractors and method of executing contracts, to which the President replied.

Proposed by the President that the Returns having been circulated, they be taken as read and recorded.

The proposal having been put to the meeting was carried, the voting being 13 for and 6 against. Thereupon Messrs. D. M. Billimoria and P. L. Bride demanded a poll, the result of which was as follows :—

For	*Against.*
The President.	Mr. P. L. Bride.
„ Principal Medical Officer.	„ J. Sausman.
„ District Superintendent of Police	„ Mohideen Khan.
Mr. O. J. Bird.	„ Aga Abdul Hussain.
„ H. Abraham.	„ D. M. Billimoria.
„ J. O'Shaughnessey.	„ Sadasiva Moodr.
„ T. Barton.	
„ Mahomed Ali.	*Not Voting.*
„ Meeran Saib.	The Residency Surgeon.
„ Gungathara Chetty.	
„ Annaswami Moodr.	
„ Krishnaswami Moodr.	
„ Suryanarayan Row.	

---

2. Estimate amounting to Rs. 1,200 submitted by the Municipal Executive Engineer for extending the Shoolay Tank Conduit along Magrath Road.

(*Public Works Department.*)

Resolution—Sanctioned.

---

3. Resolution of the Commissioners No. 6 dated 14th October 1897 that the Health Committee be requested to draft Bye-laws under certain Sections of the Bangalore Municipal Law, 1897.

(*File No. 69 of 97.*)

Letters Nos. 3495 dated 16th October 1897 and 3576, dated 21st October 1897, from the President to the Chairman, Health Committee, and his Memo No. 20 dated 30th Idem forwarding Proceedings of the Committee dated the 25th October 1897.

Proposed by Mr. O'Shaughnessy, seconded by Mr. Suryanarayan Rao.

That the reasons given by the Health Committee for declining to draft Rye-Laws under certain sections of the Municipal Law being insufficient, the Committee appointed to draft Bye-Laws generally be requested to draft the necessary Bye-Laws under the sections referred to.

For	Against	
8	11	The proposition was put to the vote and lost.

---

4. Resolution of the Commissioners No. 21 dated 1st February 1897, that Captain de Lotbiniere R. E., be asked to prepare a scheme and report on the provision of a proper drainage system for the Station

Further correspondence on the subject and letter No. 4707, dated 6th November 1897, from the First Assistant Resident intimating sanction by the Government of India to Captain Lotbinere's receiving a fee of Rs.2,500 for his report on the drainage of the Station.

(*File No.* 152 *of* 96.)

Resolution.—Sanctioned with allotment of Rs. 2,000 from "Reserve"

5. Report and approximate estimate for the drainage of the Civil and Military Station prepared by Captain A. J. deLotbiniere.

(*File No.* 152 *of* 96.)

Proposed by the President, seconded by Mr. Hewetson, District Superintendent of Police.

That the consideration of means by which the funds necessary for carrying out the Drainage Scheme might be raised be deferred until the financial prospects of the Commission for the ensuing year are more clearly known, and that, in the meantime, the report be referred to the Health Committee for their opinion as to the necessity and efficiency of the various schemes therein discussed.

Resolution.—Carried unanimously.

6. Memo No. 4762 dated 10th November 1897 from the First Assistant to the Resident in Mysore forwarding letters Nos. 112 M. W., and 3088 M. W., dated 13th January 1897 and 26th October 1897 respectively from the Government of India in the Military Department to the Director General of Military Works regarding the apportionment of charges incurred in connection with the Temporary Supply of Water to the Civil and Military Station.

(*File No.* 102 *of* 96.)

Resolution.—Recorded.

---

7. Estimate amounting to Rs. 4,640 submitted by the Executive Engineer for removing old wooden rails and reconstructing iron rail fencing along East and West of Railway Feeder Road, also an alternative estimate amounting to Rs. 680 for repairing the wooden fencing.

(*Public Works Department.*)

The estimates were put to the vote as follows :—

1st.—Estimate for removing old wooden rails and reconstructing the fence with iron rails—Rs. 4,640.

2nd.—Estimate for repairing the present wooden fencing—Rs. 680.

Resolved, with one dissentient, that the estimate for repairing the present wooden fencing be approved, and that an allotment for the purpose be made from the Reserve.

---

8. Estimate amounting to Rs. 390 submitted by the Executive Engineer for constructing latrines in Lackney Carriage Office.

(*Public Works Department.*)

Resolution.—Sanctioned.

---

9. Resolution of the Commissioners No. 2 dated 28th October 1897 that the Bye-laws under Section 32 (1) (f) of the Bangalore Municipal Law of 1897, with regard to the delegation of powers to the Health Committee be referred to that Committee.

Letter No. 3791, dated 3rd November 1897, from the President to the Chairman, Health Committee forwarding the above resolution and Memo No. 24, dated 15th idem, from the Chairman, Health Committee forwarding copy of the Proceedings of that Committee held on the 12th idem.

(*File No.* 69 *of* 97.)

It was decided to hold this question over until the next special meeting in connection with Bye-Laws.

---

10. Estimate amounting to Rs. 1,840 submitted by the Municipal Executive Engineer for constructing U Section drains in the Isolation Wards attached to the Bowring Civil Hospital.

Letter No. 3988 dated 12th November 1897, from the President to the Residency Surgeon forwarding the above estimate and enquiring if it meets with his approval, and his reply No. 928 dated 14th Ider on the subject.

(*Public Works Department.*)

Resolution—Sanctioned with allotment from "Reserve".

---

11. Propositions by the District Superintendent of Police.

(1). That New Market Road from Hospital Road to Chicka Bazaar Street be closed for traffic etc., and be included in the Bowring Civil Hospital enclosure.

(2). That a road to take its (New Market Road) place be formed on the plain skirting the nulah which formed the side boundary of the ground known as the Police Drill Ground.

(3). That a second road for Jutka and Cart traffic from the Hackney Carriage Standing to the Bangalore City be formed at the end of the plain to connect Chicka Bazaar Street with Union Street.

(*File No.* 108 *of* 97.)

Proposed by the President, with reference to items 1 and 2, and seconded by Mr. Hewetson, District Superintendent of Police,

That the Military authorities be asked to agree to the alterations proposed, and to permit the Commission to remove the walled-in enclosure adjoining the Military Hospital and immediately opposite Central Street, and to rebuild it in any other position that may be agreed upon, so as to permit the new road to be a direct continuation of Central street.

Resolution.—Carried unanimously.

For	Against
15	5

The third item was then put to the meeting and carried.

---

12. Proposition by the President that the Agent, Madras Bank, Bangalore, be asked to give a strip of land 3 feet wide along the north side of the Bank Compound for the purpose of widening the road from the Telegraph Office to St. Mark's Square, and that a sum of Rs. 350 be offered for the said ground on the condition that a compound wall is built from the N. E. Gate to the N. W. Gate of the compound.

(*File No.* 107 *of* 97.)

Resolution.—Carried unanimously.

13. Resolution of the Commissioners No. 5 dated 30th September 1897 relating to the proposed pension to peon Munnajee Row.

Further correspondence on the subject.

(*File No.* 95 *of* 97.)

Peon Mannaji Row having asked permission to withdraw his application for pension and sanction thereto having been accorded, the matter was dropped.

(Signed) A. M. SLIGHT,
President.

BANGALORE STATION MUNICIPALITY.

Proceedings of a Special Meeting of the Municipal Commissioners for the Civil and Military Station of Bangalore held at the Mayo Hall on Thursday, December 16th, 1897.

Present.

A. M. Slight, Esq., I. C. S., President.
J. E. O'Shaughnessy, Esq., Vice-President,

Ex-officio Commissioners.

Brigade Surgeon Lieut.-Colonel A. F. Dobson, Residency Surgeon.
E. Hewetson, Esq., District Superintendent of Police.
M. Abdul Rahman, Esq., K. B., 2nd Magistrate.

Elected Commissioners.

P. L. Bride, Esq.
J. E. Sausman, Esq.
T. Barton, Esq.
O. J. Bird, Esq.
Dinshaw M. Billimoria, Esq.
Mohideen Khan Saib.
Mahamed Ali Saib, K. B.
M. R. Ry. V. Sadasiva Mudliar, Avergal.
„ N. Gungathara Chetty, Avergal R. B.
„ V. Soondralingam Chetty, Avergal.
„ A. R. Chelvaraya Mudliar, Avergal.
„ V. Krishnasamy Mudliar, Avergal R. B.
„ C. N. Sooryanarrain Row Garu.

Business.

I. (3) Resolution of the Commissioners No. 9, dated 25th November 1897 referring to a special meeting the consideration of the Proceedings of the Health Committee dated 12th November 1897, regarding the delegation of powers to that Committee under Section 32 (1) (f) of the Bangalore Municipal Law of 1897.

(6) Letter No. 29, dated 3rd December 1897, from the Chairman, Health Committee, forwarding an extract from the Proceedings of that Committee, dated 3rd idem, resolving that the consideration of the Bye-laws under Section 32 (1) (f) with regard to the proposed delegation of powers to the "Standing Health Committee" be deferred until it has completed its draft of the Bye-laws for submission to the Commission as required under Resolution 2 of the 9th September 1897.

(7) Letter No. 30, dated 3rd December 1897, from the Chairman, Health Committee, forwarding the following proposition of that Committee:—

That the Commission under Sections 23 and 25 of the Municipal Law of 1897 shall delegate to the Standing Health Committee, the current executive administration of its duties relating to sanitation, conservancy, food and water-supply, the registration of vital statistics, vaccination and all other matters pertaining to the health of the Station.

The President said it was unnecessary to discuss item 6 of the agenda, which was put in by a mistake. It referred only to the business of the Health Committee and was not for discussion by the Commission. Items Nos. 3 and 7 would therefore be taken together.

Dr. Dobson said he forwarded these propositions for the reasons on record, and explained the original scheme under which the Health Committee was formed (read Municipal Proceedings of March 1896). Mr. Mackworth Young contemplated at that time the formation of a Health Department in accordance with Dr. Ross's representations and views, expressed in a Resolution of the Government of India, but the powers that could be conferred on the Health Committee were limited by the old law, under which very little could be done. Dr. Dobson was then directed to give the Commissioners an opportunity of familiarizing themselves with the defects of the Station, and those words were conveyed to the Committee by direction of the Resident. From that time to the present very little had been done to mend the matter and the Committee had not been in executive touch with the Health Department. This led to a lot of useless correspondence and a waste of time which might be otherwise employed. As the medium for forwarding the views of the Health Committee, Dr. Dobson made these observations; else he would not do so.

Mr. Barton supposed that Mr. Young's object was to give the Health Committee every power to act, and he must have had reason to make such a suggestion, and that reason was probably that the municipal executive were unable to grapple with the work of the department single-handed. The fact remained, however, that even with the powers they asked for the Health Committee would only give their advice. If they had no power for themselves it would be as well to abolish them altogether.

Mr. Sooryanarrain Row said the proposition had been brought up before. Originally when the Government of India Resolution was received and passed on to this Board, Dr. Ross brought in a proposition that executive powers should be delegated to the Health Committee. That proposition was not passed. It was objected to for more reasons than one. It was again brought up on two letters addressed to the Board by the British Resident, and in September last, the Board adhered to their previous Resolution on the subject, and now again, for the third time the same matter was brought up. He believed there was some inconsistency in the procedure of the Health Committee in this matter. He proposed that the Bye-laws under consideration be passed now on the understanding that executive control of current administration does not form part of these Bye-laws.

The President said that such a proposition could not be admitted as the Bye-laws were not before the meeting as regards those they had only to deal with the Health Committiee's enquiry as to how they should exercise particular powers in the absence of general executive control.

Mr. Dinshaw, as one of the members of the Health Committee, in the first place would inform his colleagues how the present situation of this matter had been reached. The Bye-laws were sent to the Health Committee for consideration and they went into it and found that they were quite good and such as appertained to the duties of the Health Committee, but they also found that unless the Health Committee had control of the Health Department, it would be impossible to carry out the sections imposed upon them, (read sections). How were the Committee to find out what privies were not clean and what latrines were not in repair and so on? Where they to go about themselves looking into latrines and privies and be sweepers to the municipality? It was manifest on the face of it that unless the Health Committee had some control over the Health Department it was absurd to try and put these Bye-laws into effect. How could the Health Committee advise unless they were in touch with the Health Department so as to be able to find out the wants of the Station? As a matter of fact the Health Committee was doing no real work at present for the Station and if it was intended to utilize the services of the Committee it should be put in possession of proper powers, without depriving the municipal executive of their powers or acting in any way to their detriment.

This principle had been established by no less an authority than the Resident himself (read Resident's letter). This was the basis on which the Health Committee had to proceed. They had fully considered the Bye-laws and after mature consideration had concluded that unless they were brought into close touch with the Health Department it could be impossible for them to do any public good in the matter of sanitation. In 1893—94, the expenditure on sanitation was Rs. 40,000. To-day, in 1896-97 it was about Rs. 1,40,000. What had been gained by spending such a large sum? Had sanitation progressed or had it been retarded in consequence? He found by going back to the mortuary registers for 1892—93 that the death-rate of the Station was then 20 per 1,000, whereas to-day, with an expenditure of Rs. 1,40,000 on sanitation it was so high as 26 per 1,000. Again, looking at the mortality among children. Whereas in 1893—94, it was 100 per thousand, to-day in 1897—98 it was 160 to 180 per 1,000. He was simply surprised to find such a dreadful rate of mortality. It went to show that instead of progressing as it should, sanitation was going backwards. This was strong evidence to prove that there was a screw loose somewhere which required attention. It was the *bona fidé* intention of the Health Committee to do good, and not to deprive the executive of any of its powers. Of course the grant of these powers would be intended as a trial. He would ask the Commission to try the Committee with such a Chairman as they had, and if sanitation did not improve they might take the power back. It was contended on behalf of the executive that the Health Department was so inextricably connected with the other branches of the executive's responsibilities, that it was not feasible to separate it, but as a matter of fact no sort of separation was called for. If a sanitary overseer can report to the executive now that a certain drain wants repairing, he can do so hereafter to the Health Committee who will, in turn, pass the matter on to the President who will call for the necessary estimate. Work would go on as hitherto and there would be no detriment to any of the departments by granting these powers, and he thought they should all take this opportunity of disclaiming that any personal powers were sought, or that the Health Committee harboured any *mala fide* intentions. It ought to be sufficiently evident that this proposition had been brought forward with the entire object of doing public good. The President, for whose abilities Mr. Dinshaw had the highest admiration, had so much to do, that he could not be expected to get through the work of the Health Department as minutely as he would wish. If therefore the work could be conveniently divided up they would soon realize the good results of such an arrangement. It would really mean, when the next annual report came to be written, a feather in the President's cap to know that such an improvement was introduced during his regime. He would ask the Commissioners to look at the matter from that point of view and not from a personal stand point, because an honor achieved by the President was an honor to the Commissioners. As Dr. Dobson had remarked it was intended by Mr. Young when this Committee was formed, that sufficient powers should be given it so as to bring sanitation into a better state than it was then. The Resident too had said as much in his letters. There would be no loss incurred by trying this experiment. The two big officers chiefly concerned with the executive control at issue would be here to-day and away to-morrow, but they had to look to the interests of the public and not regard the matter in the light of who was Chairman and who was President, quite apart from any personal considerations. Mr. Dinshaw thought this was a measure that should really be given a reasonable trial. The death-rate had increased at an alarming rate and he was surprised to find this so in such a climate as Bangalore.

The Vice-President said Mr. Billimoria had laid great stress on the fact that sanitation was in a worse state now than it was before, and that at a largely increased cost. He (the Vice-President) believed this was quite true, but Mr. Billimoria overlooked the fact that the sanitation of the Station was practically carried out by the Health Committee. It was solely the Residency Surgeon who had imposed new methods which had proved most ineffective and expensive and there was nothing to show that the Health Committee would improve matters. They would go upon the same lines as of old and there would be no return for money laid out. They were merely required to give

their advice to the Commission and were able to go about and see for themselves, (as they must even if they get the executive management), what the wants of the place were and to tell the President of those wants. There was nothing to prevent them from doing all this without controlling the Sanitary Department in any way. The Health Committee was appointed similarly to the Sanitary Boards under other Governments. In Madras, for instance, this Board goes all over the country inspecting Municipalities and their advice and reports on them were often carried out. They exercise no executive powers and no control over the Municipalities and Government merely see that their suggestions are given due consideration. There was no reason to suppose that this Commission would disregard the advice given them by the Health Committee. By Section 19 of the new Law the Resident appoints certain officers to this Commission and among them the Medical Officer who shall be Chairman of the Committee. But they had a Health Officer on a considerable salary and they had, he believed, pledged themselves to increase that salary. It was well-known that doctors often disagree and it was just possible that the Medical Officer and Health Officer would be liable to become confused by a difference of opinion on some subject connected with sanitation which any man may give opinion upon without being an M. D. or F. R. C. S., any man could smell a drain; it required no chemical knowledge to do so. As a rule, however, Medical Officers were not trained to direct and control an executive sanitary establishment. This required distinct training and experience. The Health Committee consisted of the Residency Surgeon as Chairman and five Commissioners who were elected by ballot. These five were (naming the members of the Health Committee) but they were not unanimous as to the question before the meeting. Some of them believed that the Health Committee could make itself very useful without executive powers. On the other hand some of them thought they could do nothing without general control. They wanted their advice to be received as an imperative order to the Commission. There was no harm in a little distinctive authority, but beyond that it was not desirable to go. Already, as he understood, the Chairman proposed a separate office for the Committee at a cost of rent and other things of not less than Rs. 1,000 a year.

Mr. Sausman said that the Vice-President was out of order as they were not now discussing a matter intended for the budget.

The President over-ruled the objection.

The Vice-President continued that besides an office the Chairman wanted an office establishment at a cost of perhaps Rs. 1,000 per annum, and a carriage to take the Committee round on their processional inspection at a cost of another Rs. 1,000 a year. Then he wanted a peon for each member of the Committee at a cost of 4 or 500 Rs. more a year, and, if rumour were true, the Chairman wanted an allowance of Rs. 400 or Rs. 500 a month for himself. All this would be a very large incubus upon the poor tax-payers some of whom led a miserable existence with scarcely enough to keep body and soul together. It was cruel that all this should be paid for by the tax-payer. There were many reasons against the proposition and that was one good reason. Another reason was, under Section 33, the President was given the power in cases of emergency to order the execution of any work which he may consider necessary on his own authority to be paid for out of municipal funds. Supposing such power had been given to Dr. Ross, (the Vice-President did not know that the permanent Residency Surgeon was so extravagant) he would have made the municipality bankrupt perhaps in six months. With his fastidiously designed drains and foolish fads and other things he would not leave the Commssion a penny in six months. And it was quite possible now that the Chairman of the Health Committee could go about and get some of the members of the Committee to agree to a new covered drain, or a fancy new drain of any sort, a cremator or anything for the health of the people and order it to be done then and there as an emergent work and the Commissioners would not be able to say anything. In the end there would be no limit to the expenditure incurred by the Health Department. The Residency Surgeon had told the Commission that he was at the meeting more to support the Resident's views than as a Commissioner. The Resident had already two very able Assistants,

whose special duty it was to explain the views and carry out the Resident's instructions. The Residency Surgeon was apparenty labouring under a mistake. The Resident was not dependent upon the Residency Surgeon to explain his views to the Commissioners. He had two Assistants for this purpose and was able besides to express his views himself as he had done in an open manner. His views were to give the Station everything necessary for the health, the safety and the convenience of the people without burdening the tax-payers unreasonably, and it was the duty of every Commissioner to carry out the views in a loyal and disinterested manner without unnecessarily raising the public expenditure. They had the maintenance of their water-supply and a large drainage scheme before them and could not afford to allow the Health Committee to go about doing just as they pleased. They would spend the money with the very best of intentions no doubt, but without being subject to any sort of control themselves would be liable to throw away money on a lot of useless things. The highest officers were subject to control and it was very dangerous to give a few members of this Committee an independent position. They might be given just as much power as would be necessary, but not unreasonably so as to lead the Commission into trouble and expense in the future. Another view was that they had a Medical Officer who was a qualified man as Health Officer who would not be likely to accept the control of those whom he probably does not think more capable than himself. What guarantee was there that the members of the Health Committee who aspired to this authority were qualified to supervise the Health Establishment? In regard to the Residency Surgeon he would say—he did not wish to say anything derogatory of his high position and respected abilities, in fact his position was too high to be controlled by this Commission, but he had no experience in sanitary matters; and many works constructed for the municipality, especially at the Bowring Civil Hospital, on his advice were much against the reputation of a Sanitary Officer. Every work at the Bowring Civil Hospital had been carried out in a manner opposed to correct principles of hospital building and sanitation and the hospital had a most evil reputation, and all because there was no control over the management of it. There was no doubt as to Dr. Dobson's cleverness and his desire to do good but what ground was there to suppose that Mr. Sausman or Mr. Billimoria were competent to direct the sanitation of the Station? They all knew Mr. Sausman as a medical gentleman in practice but could he control a sanitary establishment, and were the rest of the Committee competent to perform these duties? Then they had Mr. Billimoria who had given them great and valuable information, obtained, the Vice-President supposed, from Bombay. It was very good of him to come and instruct the Commissioners in the way they should go, but he, the Vice-President would rather see somebody with property influence in the Station than a gentleman who has no such interest in the Station except his profession which we know is that of Agent to an Insurance Company. Perhaps it is to the interests of his employers to keep the people in health and from dying so as to save his Company from paying out large sums. He therefore did not blame him for urging these matters on the Commission, but he did not know that the Sanitary Establishment would care to receive instruction from Mr. Billimoria. He was sure they would not. He would advise them, the Health Committee, not to interfere with the executive control of that establishment. They would have two Mayo Halls as it were, which would be a a bad thing to do. Let them remain as they were; they had a very efficient establishment which should not be burdened by fads and stupid methods just to exhibit the cleverness and talent of those who know nothing about the work. He believed that the result would be very injurious if the authority asked by the Health Committee was given them.

Mr. Sausman said that he had not intended to speak on this occasion, but Mr. O'Shaughnessy had done nothing but cast insulting remarks on every member of the Health Committee, but he did not seem to remember that he framed the proposition himself stating that he considered it necessary, this power should be given the Health Committee and now he came forward and said he did not. He had been very careful to analyse the condition and qualifications of all the members of the Health Committee and was quite content to walk round and depend upon his nose for detecting sanitary defects; but all the

members were not gifted with a nose like Mr. O'Shaughnessy's. As to his own qualification, Mr. Sausman said Mr. O'Shaughnessy was not competent to criticise it. Mr. Sausman was for many years Sanitary Officer of the Mysore Province. Mr. O'Shaughnessy's statements were so rambling that he did not care to take up the time of the meeting by referring to them. Mr. O'Shaughnessy had defeated his own ends or whatever reason he had to asperse Dr. Dobson, Mr. Billimoria and himself. Dr. Sausman felt strongly on this matter and did not care to say much more.

Mr. Hewetson enquired whether the Health Committee had asked for power to incur expenditure.

The President read over the proposition.

Mr. Hewetson said he would like to know if the expenditure would be as it is now or whether it would be carried out by the Health Committee.

Dr. Dobson said the proposal before the meeting stated what was wanted by the Health Committee to enable it to carry out effectively the sanitation of Bangalore, and if this power was given the question of expenditure would not be treated as Mr O'Shaughnessy said. It would be budgeted for and gone into as thoroughly as can be. Beyond that it would not be in the power of the Health Committee to spend anything. They would only be carrying out executive work. It was a pity to say the least of it that Mr. O'Shaughnessy as a member of the Health Committee could not have seen his way to attend their meetings and give the Health Committee the benefit of his views.

The President said Dr. Dobson was going quite beyond the explanation.

Dr. Dobson said he was removing a certain misapprehension.

The President said he could only explain a misapprehension of his own words, not other matter.

Dr. Dobson said the Health Committee did not want to have absolute control. The expenditure would take place under the control of the Commissioners.

Mr. Hewetson said he had another question to put.—Did the Health Committee require entire control regarding appointments and nominations of the so-called Sanitary Department, as at present?

The President read the Bye-law on the subject and said that the proposition before the meeting did not propose to modify it.

Mr. Hewetson:—Do you as President, personally see any objection to granting the powers asked for and to what extent, if not absolutely.

The President said that as his personal opinion was asked for he would give it. It was the same as he had given on several previous occasions. He had stated his views in plain and emphatic words in July last year. These he had repeated in September last, and he still fully adhered to them. He thought it unnecessary to repeat in full what he had said on those occasions. He would briefly review the facts which had led up to the present state of affairs. The origin of the proposition was to be found in the Government of India Resolution which was referred to more than once to-day, and in Dr. Ross's interpretation thereof.

The President then read his views on this interpretation as expressed in July 1896, and did not think, it necessary to repeat again all the arguments he brought forward at that time to support his views. He thought it would be a very important thing for the municipality to have two separate and distinct centres of executive control. When discussing the matter in July 1896, he only did so on general ground as a matter of principle. There was not at that time any very definite proposition before the Commission to carry out these proposals by handing over full executive powers to a Health Committee. The next occasion when this matter was discussed was in September last; the

Commissioners had passed certain Bye-laws regarding the Health Committee and then the Resident wrote the letter quoted by Mr. Billimoria. Although he was under the impression at the time that he was going against the Resident's views, he had then repeated and maintained his own opinions. The Resident's absence from the Station at the time had prevented him (the President) from discussing the question with the Resident before that meeting, and in the absence of opportunity for learning more clearly the Resident's wishes and explaining his own views on the question, he had felt it his duty to the municipality not to allow anything to interfere with free discussion and consideration of the position of affairs. From subsequent personal discussion on the matter with the Resident, the President had learnt that his desires and intentions were not what he had supposed them to be. When in September the Commission expressed its adherence to its Resolution of July, it added that it "will give full consideration "to any Bye-laws that may be proposed by the Health Committee, defining "clearly the powers which it may be proposed to delegate to that Committee." That went to the Health Committee but they received no assistance from that Committee in the shape of draft Bye-laws as to the powers desired.

The President had then entered into direct discussion of the matter with the Resident (at the latter's request) in order that something definite might be done towards fixing the duties of the Health Committee and its responsibilities. They had gone through the whole of the Municipal Law and marked off the sections which referred to purely sanitary matters not requiring the intervention of other departments of the Municipal Executive. These, the Resident had explained, were the only ones in regard to which he thought it necessary to delegate the executive powers of the Commission to the Health Committee. Bye-laws had accordingly been drafted handing over these particular powers and duties to the Health Committee, and no others. These Bye-laws were approved by the Resident and laid before the Commission by the President with his authority. In following this course, the President mentioned the fact had been kept in view that grounds had been given for the supposition that he had set himself up to oppose the Resident by refusing to part with any of his own executive powers, and it was hoped that by himself bringing forward such Bye-laws with the previous stamp of the Resident's approval on them, such an unfortunate impression would be removed. These Bye-laws were referred by the Commission to the Health Committee, whose recorded Proceedings showed that they deferred consideration of them until they themselves should have prepared a draft of Bye-laws more in accordance with their own ideas. Then, on the same day, the Committee appeared to have thought that instead of drafting Bye-laws in detail as to the powers they should exercise it would be simpler to put forward again the same proposition as had previously been rejected and so far as could be judged now, the present proposition was the result of the Committee's endeavours to draft Bye-laws. It was certainly as concise as any draft set of Bye-laws on a large and important subject could well be made (read proposition); the fault to be found with this draft of Bye-laws was that it was not particularly definite. There were a great many things the President said connected with Sanitation, Registration, &c., in which the Health Officer and Health Department were not the only people concerned, the the Executive Engineer and Works Department were very often most important factors, and not infrequently the Revenue Department also become concerned; and between all these departments and the general public, the President and Head Office were the general channel of communication in all but trifling matters. If the control of all these matters were to be, by one general resolution, handed over to the Health Committee they would have the Health Officer, the Executive Engineer, the Revenue Department, and the President and Head Office, more or less under their orders. The results that might be expected from such a general cutting off of portions of executive work, the President said, he had explained at great length in July 1896 and September last, and he was therefore unwilling to take up the time of the Commissioners again. He did not think they could have quite forgotten the points brought forward. Mr. O'Shaughnessy had on some of these expressed his own views as to the results that might be expected. The strongest complaint of Mr. Billimoria was that the expenditure on sanitation had recently risen by 250 per cent. The President explained that this increase of expenditure had

almost entirely arisen during the past 2 years. It was by Dr. Ross and his Health Committee that this increase had been recommended and in deference to the opinion of the Health Committee which had been established to give a special care to sanitary matters, the Commissioners had accepted their views. If the present state of sanitation was worse than it had been before, it would be useful to see who was responsible. Before these increases were made the sanitary department was worked under the direct charge of the Executive Engineer; then a Chief Sanitary Inspector whom the then Resident considered sufficient for the work was appointed on a salary of Rs. 150. That was the position of affairs until Dr. Ross was deputed here on special duty, and with the approval of the Resident it was arranged that the current management of the Health Department should be handed over to him, and the Residency Surgeon also gave Dr. Ross charge of vaccination, so that the experiment was tried of handing over everything to Dr. Ross, and the Health Committee was appointed to assist him, in the beginning of 1896. The result was that under the advice and influence of the Residency Surgeon and the Health Committee according to Mr. Billimoria, the Station is now incurring a largely increased expenditure and is now in a worse state than before. The experiment so eloquently recommended by Mr. Billimoria had thus been tried practically for 2 years, with Dr. Ross and the Health Committee, and the result according to Mr. Billimoria's own eloquent description is disastrous. Surely a tree should be judged by its fruit. The next complaint was that if the Health Committee had no immediate executive control, it would do nothing but waste valuable time. The President thought that perhaps the experience of the past few months would make the Commissioners agree with this remark. A great deal of time had been spent in references to and from the Health Committee, but it would be difficult to say that it had been of advantage to the Station. As Mr. O'Shaughnessy very properly pointed out, in other places, efficient sanitation is maintained by the establishment of Sanitary Boards, more especially the Sanitary Commissioner of Madras, who has not one particle of executive control in any of the municipalities. It is his duty to make himself acquainted with the results of the efforts of the Municipal Executive, and if these are found unsatisfactory, to let it be known. Here the Health Committee is appointed and the law lays down their primary duties, which are to advise and report on all sanitary matters. Taking it at that only, the President would say that if the Health Committee do not make efforts to make themselves acquainted with the sanitary needs of the Station, they do not do their duty. It is for them to find out the defects in the same way as is done elsewhere. It had been said that the President has no time to attend to these matters, and that therefore he should hand over the control over them. As a comment on that he would say that it was pretty well-known through the public papers, that complaint had been made by some of the inhabitants of a portion of the Station regarding the enforcement of a system of conservancy as recommended by Dr. Ross, and as far as the President was aware, the Health Committee had not done so much as to inspect the result of the enforcement of the new rules anywhere or to hear complaints against them, or make themselves familiar with the difference in practice. It was left to the President, who it is said has no time for such things, to see that an inspection was made, and he thought that the result of two mornings work by the President in this connection was probably more than had been done by the Health Committee for a considerable time. Regarding the proposals from another point of view, although the Health Committee have not at present to control a large department what is the result of their efforts? their recorded proceedings submitted to the Commission show time wasted in solemn consideration of childish disputes as to whose name should be at the top of the list with which papers are circulated, and Resolutions on the subject solemnly recorded. The most prominent effort of their deliberation recorded in this book of proceedings shows that they seek already, as Mr. O'Shaughnessy had stated, a separate office at a rent of Rs. 50 a month, separate peons for each member of Committee, a separate office establishment, and, not the least, a carriage and pair always ready to drive them about. That was a little beginning of what they thought necessary before being entrusted with the general executive management of the department, what could be expected, if such executive management were entrusted to them, but very much larger demands for expenditure. They would want a larger office, clerks, cashiers, accountants, managers, more peons, perhaps more carriages. But even

if they were given a separate office it would not be possible to reduce the cost of the present offices. The Commissioners might therefore judge, by comparison with what was asked for now, what expenditure would be demanded then. It was for them to consider whether the results would be so glowing as depicted by Mr. Billimoria, if they indulged in such a costly experiment. Mr. O'Shaughnessy had referred to Section 33 of the Law but had read it wrongly. The officer to wield full power under that section in case of emergency is the President. The section was very clear that power could not under any circumstances be delegated to the Health Committee. If the Health Committee were entrusted with executive management, in any emergency such as a sudden out-break of cholera or small pox when special action was required beyond their own powers, the Committee would have to apply to the President to help them, and if he did not agree with their views as to the necessities of the case he would over rule them. The Law shows that the Government relies on the President in such circumstances. If the Commission chose to accept the view that the general executive management of the Health Department should be delegated to the Health Committee, then he (the President) would say most emphatically that they should at least abolish the appointment of Health Officer and see that the Committee really did do the management of the department. So long as there is a Health Officer to do the dirty work which the Health Committee turn up their noses at, being afraid of being called sweepers, it would be merely saddling the Commission with an incubus without any improvement in efficiency. They could not have too highly paid Medical Officers to do the same work. If the Commissioners thought that the current executive administration must be delegated to the Health Committee, the President would certainly endeavour to see the post of Health Officer abolished, and the actual sanitary work done by the Health Committee. As regards the Health Committee's enquiry how they could be expected to exercise the powers described in the draft Bye-laws referred to them, in the absence of general executive control asked for, the President said that would be a very simple matter if only the Health Committee worked in harmony and amicable relations with the President. The powers described in those Bye-laws were limited to the compulsory enforcing of measures of a purely sanitary nature, in which at present the President acted almost always on the report of the Health Officer. There could be no difficulty whatever that the same information as is now submitted to the President, should be submitted instead to the Health Committee, and the latter would be in the same position as the President now is, in acting upon it.

There were many other considerations of principle to be pointed out, but the President was not willing to take up the time of the meeting further. The practical result of what might be anticipated had been demonstrated and for those reasons he adhered to the opinion that a general and vague resolution, which aims at cutting adrift an important branch of the unified executive and which mixes up various branches would be fatal to the progressive working of municipal affairs.

Mr. Dinshaw rose to speak as a member of the Health Committee.

The President said he could not speak as he had already spoken.

Mr. Dinshaw asked if he was not entitled to reply to the remarks against him.

The President said, not being the mover of the proposition he had no right to reply.

Dr. Dobson said he only wished to refer to the remarks of Mr. O'Shaughnessy, who seemed to make a personal matter of his part of the discussion as he went along. Dr. Dobson said the matter ought to be taken on general principles and he took it that Mr. O'Shaughnessy must have purposely remained away from the Health Committee's meeting so that he might criticise its action.

If he had come to the meetings he could have been able to give the Committee some useful advice. But he did not think fit to do so and attended only one out of five meetings. His remarks were quite uncalled for and from the

great experience he professes to have, he ought not to have accepted anything as a rumour. Before speaking on a matter of this sort, he ought to have made certain. Dr. Dobson had no personal motive in seeking sanitary reforms, and he sought, for no emoluments. In regard to other charges proposed, the Health Committee must have an office somewhere. The Health Committee were welcome to use his room, but he thought they ought to have an office and a writer and the idea of having a conveyance to go round the Station was borrowed from what had been a procedure in by-gone days, to enable the Commissioners to go about and not for his own personal convenience, because it could not be expected that he would drive the Committee about. Certain other remarks he could not recall; and regarding expenditure he thought he had answered that question to Mr. Hewetson. Anything that he had done was done with the best intention and any shortcomings were not his fault. He had only to recall to recollection the remarks made by a late Resident at the opening of the Thumboo Chetty's dispensary (read remarks).

The proposition was then put to the vote. There were 7 for and 8 against it.

II. (4). Resolution of the Commissioner's No. 2, dated 21st October 1897, approving of certain Bye-laws framed by the Committee appointed for that purpose.

Notice No. 3809, dated 4th November 1897, publishing the above Bye-laws and inviting objections.

The President explained a slight modification under the Bye-law relating to a demand collection and notices of warrant. The Commissioners approved the Bye-law and the amendment conferring certain discretionary powers on the President in regard to the remission of warrant notice fees and carried both.

The following other Bye-laws were also passed, there being no objections received during publication.

(*a*) Bye-law 4. The registration and inspection of lodging houses.

(*b*) Bye-law 4. The control of people using camping grounds.

(*c*) Bye-law relating to the obstruction of streets and other public land.

(*d*) Bye-law 4. The preservation of the water-supply from contamination.

The President said an important Bye-law relating to the fresh octroi duties had been kept back from this meeting because the whole question of such extension was pending and it was desirable to know how far they could be extended in regard to timber, especially.

The President asked the opinion of the Commissioners on the publication of these Bye-laws. The Resident had drawn his attention to the conditions under which Bye-laws should be notified in the "Gazette of India" and as regards the language of publication whether the Commissioners thought it necessary that the Vernacular local papers should be used. The Bye-laws do not come into force until notified and approved by the Resident and he now wanted to know if such Vernacular publication was necessary. As far as he knew, the President said, it was not necessary; he thought the present publication sufficient and suggested that such an opinion be conveyed to the Resident.

Mr. Dinshaw thought a Vernacular placard would be of much service. As these Bye-laws were being framed for the first time, Vernacular publication was very desirable. There was nothing to be lost by doing it. In reply to the President, he named the Tamil language as useful.

Mr. Abdul Rahman said that publication was absolutely unnecessary except in English, and placards would be pulled down by boys in the street. Besides, if Tamil was used, Mahomedans would want to know why Hindustani was not used too.

The President said the Municipal Law was only published in English. The technical legal phraseology of Tamil was so difficult that if the Resident was going to use a Tamil translation he would have to get the Government Translator to do the work. The President thought from the difficulties he experienced when studying Tamil and Kanarese in order to pass the standards, that a translation of the Bye-laws into these languages would not be of much help in bringing the law to the understanding of the lower classes.

The Commissioners were divided in opinion and the President said that he would communicate the same to the Resident.

The meeting rose at 10-30 A. M.

Note.

I have received and considered the Report of the Sanitary Board which is comprised in Brigade-Surgeon Lieutenant Colonel Dobson's letter No. 237, dated 16th March 1898. There are various points in this Report which require the consideration of the Municipal Commissioners, and copy of the whole of the Report, except paragraphs 2, 3 and 4, which I will deal with separately, will now be forwarded to the President, with certain additional remarks on those questions which deserve careful and prompt attention.

2. As regards the recommendations in the present report, that the slaughtering houses be removed from their present positions to some site outside the Civil and Military Station, the Board seem to have in part at least overlooked what transpired subsequent to their report of 1889. In 1891 the then P. M. O., (Surgeon Colonel Inkson), expressed an opinion to the effect that the slaughter house arrangements were as good as could be desired, and with certain improvements and alterations, which were then contemplated, the premises occupied would be unobjectionable. In January 1894 an estimate for Rs. 3,700 was sanctioned "for dismantling" "and rebuilding the sheep slaughter house". The Sanitary Board again in 1892 advised the removal of the slaughter houses though they found no fault with the arrangements. It is possible that better sites might be selected, but as yet the difficulty of finding a suitable position has not been overcome—additionally the question of expense is a serious matter, and finally, the slaughter houses must be within our jurisdiction, outside the Station limits no supervision would be feasible, and the only alternative would be to enlarge our borders and take up extra land, a measure that could only be recommended to the Government of India under stress of urgent necessity.

3. The question involved in the overcrowding of the site known as Pereira's coffee garden has received more attention than the Sanitary Board, from the remarks in clause xiii, paragraph 1 of their letter, appear to imagine. Before the passing of the Municipal Law of 1897 the power of control in various matters was much less strict than it has since become : bye-laws regulating the erection of new buildings are under consideration but have not yet passed, when finally promulgated they will enable the President to maintain an effective check upon the erection of unsuitable buildings.

4. With reference to the concluding remarks in the clause (xiii) referred to above, there seems, from the use of the words "*its power in sanitary matters*" to be some misconception, as to the functions of the Sanitary Board. The matured opinion of the Board is entitled to much weight, and will always be welcomed by the Resident. The Board in its corporate capacity has no 'power' to act, it is purely a consultative body, appointed for the purpose of advising the Resident. The recommendations it makes are as a rule passed on to the Municipal Commission, and have doubtless often been of material assistance to the Municipal Commissioners in enabling them to arrive at correct judgments in sanitary questions involving technical knowledge. It may however not always be practicable immediately to carry out advice, valuable though it be, involving administrative changes, or heavy expenditure, whilst opposition in some quarters may at times occasion undesirable delay. These shortcomings however should not, especially now that the Resident has, under the new law, a much larger share of control entrusted to him, deter the members of the Board from offering advice whenever it may appear desirable.

5. They have, it may be noted, opportunity for giving expression to their views either collectively, direct to the Resident, or individually at the municipal meetings, for the members are now all Municipal Commissioners, and are entitled to advance their opinions and indeed to press their acceptance upon the other Commissioners. The power of individual representation which the members

thus possess is not, I am inclined to think, fully exercised, and I shall be much obliged if they will bear this in mind and, thereby, not only keep me continuously informed, through the medium of the Commission proceedings, of sanitary precautions and practicable improvements which are neglected, but also strengthen the hands of the President in dealing with ignorant and interested opposition should it be encountered; more especially is the action above indicated incumbent upon the Secretary, who in his capacity as medical officer of the Commission is, or should be, in close touch with the Municipal President, and is moreover directly responsible to the Resident for bringing all sanitary defects, and especially omissions and negligence in the working of the system to the notice of the President. For instance, the removal of the improperly situated dust-bin alluded to in clause IV, paragraph 1 of the present report should have been urged upon the President by the medical officer; possibly he has done this; but in that case he might have pointed out to the Board the difficulty (if one really exists) in giving early effect to their recommendations in this matter. If on the other hand, in this or in any important case, he received no assistance or was opposed by the President, he knew well that I was always accessible and prepared to take the greatest interest in promoting reforms. Similarly, as regards the public latrine in Bamboocherry (clause VI). There is no part of the medical officers duty which is of greater importance than the supervision of latrines. I presume that the Residency Surgeon in his capacity as medical officer, occasionally inspects and exercises a general control over their working, he has doubtless made representations to the President in this matter, and it would have been advantageous had he, instead of apparently adopting the rôle of an unconcerned critic, placed the Board in full possession of the facts and the action taken by him in removing, or attempting to remove, defects some of which are of an entirely elementary character, in a matter of the greatest importance to the health of the community.

The foregoing remarks are equally applicable to the insanitary condition of the beef stalls (clause V); if they were, when seen by the Board, *in anything but a good sanitary condition*, this deplorable result could only have been arrived at by defective supervision which the Residency Surgeon in communication with the President could have changed and improved.

6. Briefly therefore it may be said that in so far as the grave sanitary defects now brought to notice are remediable, the Secretary in representing the opinions of the Board is expressing his own condemnation. He is in full possession of my views, and knows with what insistence I have urged that the Residency Surgeon, in his capacity as medical officer, is responsible for the effective sanitary supervision of the Station. He knows that he will receive my full support in dealing with obstruction, and it is extremely disappointing after what has passed between the President, the Residency Surgeon and myself to find that the Sanitary Board were allowed by the Secretary to remain uninformed on a question of such essential interest.

7. This brings me to a consideration of the Board's remarks in paragraphs 2, 3, and 4 of their report. I should be sorry to believe that their observations, especially those contained in paragraph 3, were inspired by the Residency Surgeon, as he must of course know intimately what has passed; but it is astonishing that such erroneous impressions were not promptly corrected by that officer. I am unable to follow the interpretation which the Board appear to place upon Section 19 of the Municipal Law, nor does it seem to be relevant to revert to what was proposed by the Commissioners in 1896 before the new Municipal Law came into effect. The Resident's reply of the 4th September 1896 which is very inadequately represented by the extract thereof given in paragraph 2, certainly did not attempt to settle the question then under discussion conclusively, and practical experience since gained has shown clearly what is required. The Commissioners are in possession of my views on this subject. They were at first misunderstood, and in consequence resisted, but I believe I am correct in saying that the opposition to the general supervision of the Residency Surgeon in all medical matters, assuming of course that he works in harmony with the President, has in great part died away. A Health Officer has now been appointed he has personally expressed to me his willingness to serve under the Residency

Surgeon, and the President is, I am aware, not only willing but anxious that the Residency Surgeon should instruct the Health Officer and utilize his services in the manner most conducive to the health and wellbeing of the Station, always provided that the general control and authority of the President, as the head of all things connected with the municipality, is not impaired or interfered with.

8. The amazing statement that the Residency Surgeon at present "*has no duties assigned to him beyond presiding as chairman at meetings of a committee, without any executive functions, and which, as now constituted, is not empowered to interfere in any way with the working of the Health Department,*" conveys an entirely incorrect impression of the position as I understand it. The Residency Surgeon knows perfectly well that I should strongly object to that description as a correct exposition of his duties, and if he really occupies a position so objectless and unsatisfactory, a grave responsibility rests upon him for failure to comply, not only with my express and oft repeated directions, —that he should in communication with the President, supervise the proceedings of the Health Department—but also with the distinct promise he made to me some months back at Bangalore.

9. The duties of the Residency Surgeon at Bangalore as such, are merely nominal: he has in addition, charge of the Bowring Hospital but this judging by the outturn of surgical and other work is a very light task, occupying barely 2 to 3 hours daily. He has consequently considerable leisure, and unless he also devotes some time to sanitary measures, he cannot under present circumstances have enough work to justify his official existence. So strongly do I feel on this point that if the Government of India were to decide that the Residency Surgeon were not to be called upon to supervise the sanitation of the Station, I should not hesitate to advise the abolition of the appointment and a reversion to the more economical arrangement which exists in some other places, *viz.*, that one of the medical officers of the Garrison receive allowance for doing the Residency medical work, in addition to his other duties.

10. I see no reason whatever to propose the appointment of a separate Commissioned Medical Officer as is suggested in paragraph 4. Such an arrangement would be a very expensive one for the Municipality. They already have an efficient Health Officer, and if the Residency Surgeon perform what I conceive to be his clear duty, in the matter of a general supervision over Sanitary matters in the Civil and Military Station, nothing further can be required.

11. It may, as the Board remark in paragraph 3, be in a certain sense anomalous that the Residency Surgeon should as Secretary to the Board on the comparatively rare occasions when they report, be called upon to criticize his own work as medical officer of the Commission, but anomalies exist and flourish in many branches of the administration in India, especially where it is necessary to study and practise economy, and it cannot be too prominently borne in mind that the more usefully and energetically the medical officer of the Commission works, the less room there will be for effective criticism on the part of the Sanitary Board.

D. ROBERTSON,
Resident.

24 May 1898

BANGALORE C&M STATION MUNICIPALITY

8. 2. 02

Dear Col. Robertson

The question of Standage position as regards the Health Department is still undecided, tho' I have had it discussed twice by the Standing Committee the Commissioners are all very shy about it and want to 'hang it up' again: I am very much against this, as I am sure it is very much in the interests of the Station to have it clearly defined, and Lloyd will not be able

to previous Correspondence etc, we may settle it all the sooner

The question of the obligation of the Res.t Surgeon to Supervise the Sanitation of the Station seems quite settled in your note forwarded to Slight by Erskine in a D.O. on 10.6.98: this however is confidential and I do not know how far I should be justified in referring to it in the Commission: I have not done so in any way. According to that note, which has just been fished out from the depths of our tangled records, it would seem that Standage could be called upon to take charge of Daraboseth and the Health Dep.t and give the work 1½ or 2 hours a day without receiving an allowance. But I don't feel in a position to announce this without your authority. Hence this D.O. and my

to take it up until he has been here some while.

The questions that these Commissioners want answered are (1) How far can Standage, be expected to spare time for Municipal work? and (2) will the Commission be expected to make him an allowance?

I have written officially about this to T.H.M. but there is very little time to lose if it is to be settled before I go, and so I am writing this U.D. so that if you are disposed to express an opinion without further reference

Copy of letter dated, Mysore the 9th February 1902 from the Hon. Col. D. Robertson, Resident in Mysore, to L.T. Harris Esquire, President, Municipal Commission, Civil and Military Station.

Your letter of the 8th arrived just as I was about to write to you regarding the connection of the Residency Surgeon with the Health Department.

On the main question there can, it seems to me, be no room for doubt. The Residency Surgeon is the Medical Officer of the Municipal Commission; in that capacity it is, I presume, intended that he shall take some share in the municipal work; apart from this, however, I hold that he is, by virtue of his Government appointment, and the interest which the Government of India have in the well being of Bangalore, responsible, in a general way, to the Resident, for the efficiency of the sanitary arrangements of the Civil and Military Station- though in order to avoid any possibility of misconception I would specially mention that the Residency Surgeon is not answerable for the executive management of the Health Department, but is merely expected to bring defects to notice in the first instance to the Health Officer, then to the President if necessary, and in the last resort to the Resident who would if occasion required apply the necessary corrective measures. To estimate the position correctly it is only necessary to refer back to the Plague outbreak of 1898-99. You were not, I am aware, here then, but the records of your office should show what occurred, and the direct intervention through

through the Residency Surgeon which it became necessary for the Resident to adopt on that emergency.

I do not in the least wish to curtail or ignore the unquestioned authority and responsibility of the President in all Municipal affairs, but it is absolutely necessary that the Resident shall have access to competent professional advice and assistance, in matters which may seriously affect the public health of the Station, and call for prompt and effective treatment. On his part the Residency Surgeon can only acquit himself adequately of the responsibility which thus devolves upon him provided he keep himself regularly informed regarding current sanitary work, and for this purpose visit the Bazaars frequently, and inspect the arrangements in progress.

I have been officially connected with many municipalities as well as various Residencies, and with more than 5 years experience of Bangalore, I know exactly what amount of labour this duty of general supervision entails. as a matter of fact it involves a ride through selected localities for an hour or so twice or three times a week in the morning, as well as a small amount of office work

As I have explained to both you and Standage, I desire to change statutory of otherwise in your relative positions, all I would ask is that the arrangement which now I understand subsists informally, shall be placed clearly on record. Briefly stated it is, that the Residency Surgeon shall keep an eye on all conservancy work, and that, in order to facilitate his doing his,, he shall have the power to issue orders to the Health Officer. Naturally the Residency Surgeon would not be empowered either to incur any expenditure or to change the existing

existing system without previous reference to the President. The only conceivable objection is that as the Health Officer is under the President, some conflict of authority may arise: this however is a matter which could be arranged in 5 minutes conversation between the latter officer and the Residency Surgeon.

To turn now to your letter and the two questions therein stated:-

1. How far can Standage be expected to spare time for Municipal work?
2. Will the Commission be expected to make him an allowance?

I should be inclined to reply to you, not to the Commissioners.

1. This is, for the purposes of the present reference, not a matter for the Commissioners- but I should be probably well within the mark in saying that Standage has ample time to devote to the general supervision of the sanitary administration of the Station.

2. Merely for the performance of this duty no question of an allowance need for the present at any rate arise. The Residency Surgeon is paid separately for Hospital work, if he is also specially remunerated for supervising sanitary arrangements, his pay as Residency Surgeon would appear to be altogether de luxe.

So long as the existing arrangement lasts, and works satisfactorily, as it can and should do, without friction or difficulty, no change appears to be required and the Government of India would hardly agree to the Residency Surgeon receiving

receiving an allowance from Municipal Funds unless a strong case could be made out; if however the Commission wish to have their own separate Medical Officer, and are able to pay a salary sufficient to attract a good man, then we might possibly consider the plan, which has been more than once mooted, of appointing a Medical Officer of the garrison from time to time to be Residency Surgeon, with an allowance of say Rs.250/- for charge of the Residency and the Bowring Hospital. This scheme would involve a saving in the present cost to Government, and might therefore find acceptance, but I confess that I am not at present prepared to advocate it. The division of duties as now ordained seems to me by far the best. If it can be shown that Standage's duties are overwhelming, then we might ask the Government of India to raise the appointment to that of a First class Agency Surgeoncy; or failing that to agree to a grant from Municipal Revenues, but such an application could not precede the ascertained existence of a clearly-defined necessity.

I hope now you will be able to formulate your proposals; the matter has I venture to think been sufficiently fenced in course of settlement, and in view of impending changes all doubts and openings for misapprehension should be set at rest and closed.

I do not quite appreciate the necessity for further discussion with the Commissioners, but I have no objection to your explaining to them my views as herein expressed.

No. 4196

AND MILITARY STATION, BANGALORE.

MUNICIPAL OFFICE

DATED 7th February, 1902.

FROM

L. T. HARRIS, ESQUIRE, I. C. S.,

President, Municipal Commission,

C. & M. Station, Bangalore.

To

C. L. S. Russell Esq I.C.S.
First Assistant to the Resident in Mysore
Bangalore

SIR,

RESIDENT'S OFFICE, BANGALORE.
Register No. 761
Date of Receipt 7-2-02
File No. 464/97

Referring to correspondence ending with your No. 4013 dated 28th September 1897 I have the honor to state that from enquiries recently made I am of opinion that the Commission would be prepared to give the executive control of the Health Department to the Residency Surgeon on certain terms. I would be much obliged if I might be favored with the opinions of the Honorable the Resident

(1) As to whether the Residency Surgeon could be called upon as part

of his legitimate duties as Health officer of the Commission to undertake this work

And (2) as to whether the Municipal Commission would be required to make any allowances to the Assistant Surgeon on this account.

I have the honor to be,
Sir
Your most obedient servant

[signature]
President, Municipal Commission
c/o H. Station, Bangalore

No. 4900 Cant/

RESIDENT'S OFFICE, BANGALORE.
Register No. 1322
Date of Receipt 6-3-02
File No. 464/1

CIVIL AND MILITARY STATION, BANGALORE,
MUNICIPAL OFFICE.
DATED 3rd March 1902.

FROM

L. T. HARRIS, ESQUIRE, I. C. S.,

President, Municipal Commission.

C. & M. Station, Bangalore.

To

C.L.S.Russell Esquire, I.C.S.,

First Assistant to the Resident in Mysore

BANGALORE.

SIR,

I have the honor to forward for the information and orders of the Honorable the Resident a resolution of the Commission passed at a special meeting held on Thursday last approving a Bye Law drafted by me in which the province of the Medical officer of the Commission is defined and certain powers under the B.M.Law are delegated to him under section 25.

2. It has long seemed desirable to decide this point, and as the Hon'ble the Resident is aware, the question has previously engaged the attention of the Commission.

3. In January last the question was placed before the Landing Committee and has since been discussed by them on five occasions: as the result of this discussion the three proposals were put forward and the essence of all three incorporated in a bye law, which was very fully debated by the Commission on Thursday and carried by 10 Yot against 4. 3 not voting

Major Williams
Mr. Wilkieson
Mr. H.C. Berlie

It will be observed that the proposal amounts merel[illegible] transfer from the president to the Medical officer

Officer of that control which the former now exercises over the Health Officer on behalf of the Commission: instead of the Health Officer's actions being directed by the president they will be directed by the Medical Officer, who will thus be in a position to originate action on sanitary matters whereas he is now merely a consulting authority. The position that has existed hitherto has, in my opinion, put the Medical Officer entirely in the background, and has negatived any advantage that might accrue from the existence of the Health Committee by depriving the Chairman of any capacity for initiating sanitary reform or improvement: the result has been that hitherto both the Medical Officer and the Health Committee have been anomalies in the Municipal organisation. That no disaster has resulted may be regarded as the good fortune of the station rather than the natural consequence.

5. It was argued against this byelaw that scientific control is not necessary for a sanitary department: I expressed my disagreement at the time, and I wish to repeat it emphatically now. I admit that a layman might decide right nine cases out of ten that arise in the control of a sanitary department-in the tenth case his action might inflict an epidemic on the community, and the blame would lie with those who empowered him, rather than with himself.

6. There is a possible doubt of a legal nature involved in this case, and though I consider that it should be decided favorably to the byelaw, it is my duty to mention it in submitting the byelaw for sanction.

Section 25 empowers the Commission to delegate certain executive authority to the Vice-president or any other officer of the Commission, and states that all such power not so delegated vests in the president. Section 32(1)(f) says that the Commission may by byelaw define the current executive responsibilities of

officers of the Commission such as president, vice-presid or other officer. From these two sections it was argued by certain local legal authorities that, by delegating power under any section to the Medical Officer, the Commission would deprive the president of all authority in that direction, and that therefore section 5 of the byelaw, reserving supreme control to the president, is contradictory to the intention of the B.M.Law and must be rejected as being "ultra vires": that as section 5 qualifies all the foregoi sections, the whole byelaw is vitiated and cannot be sanctioned.

This argument does not commend itself to me, but deserves consideration as the expiring effort of the opposition.

It is perhaps unfortunate that the position of the president is not defined clearly in the B.M.Law, but it seems only necessary to resort to common sense as supplementary to a defective law.

By delegating power to any officer I understand that the Commission authorises that officer to exercise certain functions on its behalf, reserving to itself the power of issuing directions to him as to how those functions are to be exercised and undertaking the responsibility for acts done by him in exercise of that power: the officer is still answerable to the Commission for the due performance of his duty, and is still clearly under the control of the Commission. It is necessary to decide how that control is to be exercised- there is nothing in the law or byelaws which can decide this point, and I consider that the only logical conclusion is that the president, as immediately representing the Commission in all matters whether executive or administrative, must be the immediate controlling authority over

any officer of the Commission in whom executive administration is vested.

Should this view meet with the approval of the Honorable the Resident I would suggest that a ruling on the point raised may issue, since the law is silent on the question.

7. Should this byelaw receive the sanction of the Resident it is possible that certain modifications or amplifications will be found necessary in practise: I am convinced however that the adoption of the general principles involved will tend to a more effective and progressive sanitary policy than that which the existing practice is calculated to produce.

I have the honor to be,

Sir,

Your most obedient servant,

President, Municipal Commission,
C & M Station, Bangalore.

Abstract of proceedings of a Special Meeting dated 27th February 1902.

---

2. Proposition by the President defining the respective powers of the Medical and the Health officers of the Commission.

Also the resolution of the Standing Committee thereon.

3. Proposition by the President that the powers of the Commission under certain sections of the law and the bye-laws thereunder be delegated to the Medical officer of the Commission.

Also the resolution of the Standing Committee thereon.

Also the following draft Byelaw framed by the Standing Committee.

Draft Bylaw

Chap I. Bylaw No: 7 – Delegation of powers to the Medical Officer of the Commission

B.N.L. Sections 25 (1) and 32 (6) (f)

1. The Medical Officer of the Commission (the Residency Surgeon) shall be the Administrative officer of the Health Dept. in whom shall vest its control.
2. He shall be responsible for the sanitation of the Station
3. The Health Officer shall be directly subordinate to the Medical Officer & be the executive officer of the Health Dept.
4. The powers conferred on the Commission by the following sections of the By-laws and bye-laws framed thereunder shall be exercised by the Medical Officer:

87 — Troughs and pipes for rain water
88 — Provision for drains, sewers &c
89 — Repair and closing of drains & privies
93 — Power to require owner to clear away noxious vegetation
94 — Power to require hedges & trees to be trimmed
95 — Cleaning of filthy buildings or land
96 — Power to prohibit use for human habitation of buildings unfit for such use.
97 — Power to require unoccupied buildings becoming a nuisance to be secured or enclosed.
99 — Power to require removal of nuisance arising from earth and the like
100 — Removal of latrines &c near any source of water supply.
101 — Bathing and washing places
102 — Power to regulate manufacture, preparation and sale of food and drink.
103 — Regulation of offensive and dangerous trades.

Exception: The powers conferred on the

Connexion with reference to the following are not delegated to the Medical Officer:—

(1) a yard or depôt for trade in hay, straw thatching grass, wood, coal or other dangerously inflammable material;

(2) a storehouse for any explosive or for petroleum or any inflammable oil or spirit

104— Power to prohibit trades

Exception: The same as under Section 103

105— Places for slaughter of animals for sale

106— ——— Do ——— do —— not for sale

107— Powers in respect of burial & burning grounds

108— Removal of corpses

112— Removal & deposit of offensive matter

113— Special provision with respect to disposal of dead bodies and animals.

122— Destruction of mad dogs

123— Information to be given of anthrax &c

125— Removal to hospital of persons suffering from diseases dangerous to the public health

126— Power to order disinfection & cleansing of buildings

127— Power to order destruction of infected articles

130— Prohibition of use of unwholesome water

131— Inspection of drains & privies

132— Power of entry for purpose of preventing spread of disease

135— Power to inspect places for sale of food or drink &c and to seize unwholesome articles exposed for sale

182— Authentication, service & validity of notices

5. Provided that nothing in this byelaw shall affect position of the President as the chief controlling authority in all municipal matters whose powers of intervention within his own discretion: also that all notices issued by the Medical Officer under the foregoing sections shall come under review of, and be confirmed by, the President periodically

Taking the items 2 and 3 together, the president moved that his propositions for placing the Health Dept under the orders of the Medical Officer of the Commission, and for delegating certain powers to him be adopted, and t with a view to effect that purpose, the draft byelaw frame by the Standing Committee be approved.

On the motion being seconded by Mr.Johnson, an ame ment was proposed by Mr.O'Shaughnessy and seconded by Mr. Berlie "that the question be deferred for the present."

Voting for 4 against 8

Voting for 10 against 4

3 commissioners not voting

The amendment on being put to the meeting was lost.

The president's proposition, on being next put to the meeting, was carried, and the draft byelaw approved with th modification that the words "(the Residency Surgeon)" in section 1 thereof be deleted.

4. proposition by the president that certain byelaws be amended so as to provide for the control of the Health Dept by the Medical Officer of the Commission.

Also the resolution of the Standing Committee there on the president explaining that this was only a natura consequence of the above resolution; it was resolved that t amendments proposed be approved.

(Sd) L.T.Harris

president.

Copy

A E Cecil Co

Secretary.

45

RESIDENT'S OFFICE.

Serial No.
File No. 7

No. 1934
7th April 1902

[D R A F T .]—For approval.

From

C. L. S. RUSSELL Esq., I. C. S.,
1st Assistant to the Resident in Mysore.

To.
The President,
Municipal Commission
Cantonment.

Sir,

With reference to your letter No. 4900 of 3d March 1902, I am directed to forward, for your information and circulation among the members of the Municipal Commission, copy of a note by the Resident on the proposal to define the position of the Residency Surgeon on the Commission

(*Continuation of Draft*).

~~in the matter relating to the Secretaries of the State.~~

and to ~~Delegates~~ Delegate to Exercise certain powers under Sec. 25 of the Bangalore Municipal Improvement Law.

1st Asst. Resident 1/9/02

1/9/02

13
9

Note by the Honourable the Resident on the proposal to define the position of the Residency Surgeon on the Commission and to delegate to this officer certain powers under section 25 of the Bangalore Municipal Law.

—o—

I regret that I am unable to concur in the necessity for the passing of this Bye-law.

Paragraph 1 declares that the Residency Surgeon in his capacity as Medical Officer of the Commission, shall be the administrative officer of the Health Department, the control of which organization will vest in him. To this I have no objection, provided it be conceded that the control is merely of a general nature, and does not involve responsibility for the supervision of detailed management.

Paragraph 2, however, goes entirely beyond the necessities of the case. The Residency Surgeon is not and could not be responsible in the meaning here indicated for the sanitation of the Station. He is the adviser on all such matters to the Commission, and, to enable him to perform this duty satisfactorily, he must obviously acquire the local knowledge without which this advice could not possess much practical value; but it would be clearly undesirable that he should be held to be responsible for work which his other duties would not enable him to thoroughly supervise.

As regards paragraph 3, I consider that the Health Officer should remain subordinate, as he is, I assume, at present, to the President.

The powers which it is proposed under paragraph 4 to confer on the Residency Surgeon would, if he were to undertake the out-door work necessary to their efficient exercise, impose upon him much extra and, I may add, unnecessary labour. I see no necessity whatever for the transfer of such powers to that officer; nor does it appear to me expedient that the Commission should divest itself of authority which would be very inadequately safeguarded by the reservation contained in paragraph 5.

Although I am unable to approve the proposals of the Commission in their present shape, I consider it advantageous that the position which the Residency Surgeon occupies, by virtue of his connection with the Municipal Commission of the Civil and Military Station, should be formally recognised, so as to avoid likelihood of friction, with its prejudicial effects upon the conduct of public business. It appears to me essential that he should exercise a general control over the Sanitary Department here; such, for instance, as is involved in occasional inspections of the Bazaars, and a general overlooking of the proceedings of the Health Office. In this manner the Commission would have an additional guarantee that the large amount now provided for the sanitation of the Civil and Military Station is expended to the best advantage, and that they were assisted by the advice of an expert who had an intimate knowledge of the requirements of Bangalore. To enable an arrangement of the nature to work satisfactorily, all that seems necessary is to authorize the Medical Officer of the Commission (Residency Surgeon) to issue Departmental orders to the Health Officer in urgent matters, provided that compliance with such orders does not involve any change of system, extra expenditure, or danger of committing the Commission to legal proceedings, but merely invites attention to defects or irregularities in the working of the system as sanctioned by the Commission. Practically, I believe, that by personal agreement between the late President and the Residency Surgeon, some such informal arrangement has subsisted for several months past. I would suggest that, as it is reported to have worked well in practice, it be allowed to continue. The principle of assigning a leading place in the management of the Sanitary Department to the Residency

Surgeon has, I observe, been admitted by the Commission, and if this officer is to make periodical inspections of the Bazaars and if these are to be really effective, the most convenient and economical method of working, as I have remarked, appears to be for him to give orders in urgent matters, subject to the limitations already mentioned, direct to the Health Officer. The alternative would be for the Residency Surgeon to communicate notes of his inspections to the President, for the necessary instructions to the Health Officer; this would, however, create additional clerical work without, so far as I can see, promoting efficiency or, indeed, any compensating advantage. The arrangement to which I have referred as subsisting, presupposes that the Health Officer shall keep the President informed of all instructions he may receive from the Residency Surgeon during the course of this officer's inspection, so that the executive Head of the Commission may be always in a position to intervene promptly and effectively, should he consider this necessary.

If the Commission agree with me that it is desirable to recognise the existing relations between the Residency Surgeon and the Health Officer, nothing further, beyond the passing of a Resolution to this effect, can be required. No delegation of powers to the Residency Surgen appears to be either desirable or necessitated by the provisions of the Municipal Law.

DONALD ROBERTSON,

Resident in Mysore.

Residency Press, Bangalore.—1-1-1902.—50.

RESIDENT'S OFFICE.

Serial No.

File No.

[D R A F T .] —For approval.

From

C. L. S. RUSSELL Esq., I. C. S.,
1st Assistant to the Resident in Mysore.

[Here Enter note by the Resident about the duties of the Residency Surgeon as alleged relating to the Inoculation of the Natives]

Copy of memorandum by the Residency Surgeon for information

1st Asst. Resident

RESIDENT'S OFFICE. 19

Serial No.

File No.

[D R A F T .]—For approval.

From

C. L. S. RUSSELL Esq., I. C. S.,
1st Assistant to the Resident in Mysore.

No 2164
18 April 1902

VC
152

[Here enter Resident's note dated the 4th April 1902 on the proposal to define the position of the Residency Surgeon in matters relating to the Sanitation of the Station]

Copy forwarded for information to
1. Brevet Colonel [illegible] Bradshaw
2. Lt. Col. Babington of the Bradshaw Mail
3. N. N. Johnson of the Bangalore Dailey Post.
with Resident's Compliments

15/4.

15/4/02

1st Asst: Resident.